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No. 149

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 18, 2008.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Reverend Chuck Coffelt, Gillett United Methodist Church, Gillett, Arkansas, offered the following prayer:

Most gracious God, as the Members of this great Chamber gather to conduct the business of our Nation, we pause to remember the lives of the women and men who fought and died on the battlefields of wars at home and abroad so that we may have the privilege of open talk and debate. We honor their sacrifice today by setting aside differences and working for the common good of humanity. Guide the hearts and minds of these before You now that they may govern with their hearts set on love and justice, compassion and peace. Strengthen them for the weighty decisions that they face. Empower them to serve You by faithfully serving the people they represent, including those whose voices are rarely heard. These things we pray to You today, Father, through Your son, Jesus, by the power of Your holy spirit. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. BARRETT) come forward and lead the House in the Pledge of Allegiance.

Mr. BARRETT of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WELCOMING REV. CHUCK COFFELT

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas (Mr. BERRY) is recognized for 1 minute.

There was no objection.

Mr. BERRY. Our prayer is offered this morning by Pastor Chuck Coffelt, my pastor from my home church, the United Methodist Church of Gillett, Arkansas. He pastors a community where they still know when you are born and they care when you die, where happiness and sorrow are shared by the community and where a helping hand is offered when needed. We are delighted to be joined this morning online by the Gillett School and their mascot, the Wolves, to show support for our special community.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

### DRILLING IN ANWR

(Mr. LATTA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LATTA. Madam Speaker, the time to act is now. After we've seen the devastation of the hurricanes in the Gulf Region, it's time for this Congress to act and to allow drilling and to permit drilling in ANWR.

What is ANWR?

ANWR is 19 million acres in Alaska. We're talking about a section that was set aside in 1980 by Congress of about 1.5 million acres. Where the oil is, about 10.3 billion barrels, all we're really looking at is about 2,000 acres. To put it in perspective, it's about 3.5 square miles. We've got to get in there and get it now. Why? Because we can be bringing out 1 million barrels of oil down that 800-mile pipeline to serve this country, and we've got to make sure that this country can still be a manufacturing giant in the world.

Next year, we lose our manufacturing status to China. If we don't have the energy to run our factories, to fuel our vehicles, to run our trucks or to run our tractors, this country is going to fail.

If you look at this, you're only talking about a pin drop when you're talking about this area. It is time that we act. It is essential. If we don't get it done now, this country is going to fail.

### MCCAIN'S ASSESSMENT OF ECONOMY SHOWS HE REALLY IS NOT AN EXPERT ON THE ECONOMY

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Madam Speaker, with all of the economic troubles on both Wall Street and Main Street, it's hard to believe that there are still people out there who think everything is going all right.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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On Monday, the stock market fell 500 points, the biggest fall since the terror attacks of September 11. Lehman Brothers, one of the world's oldest financial institutions, filed for bankruptcy while another financial giant, Merrill Lynch, was bailed out of trouble by Bank of America. Former Federal Reserve Chairman Alan Greenspan said this was part of a once-in-a-century crisis.

I wish President Bush and Senator McCain felt that way. Stubbornly clinging to the belief that his economic policies are succeeding, President Bush described the events Monday as merely an adjustment. Senator McCain declared, once again, that the fundamentals of our economy are strong.

Well, Madam Speaker, President Bush and Senator McCain have to be two of the only people in the country who think the economy is just fine. How can they fix the crisis when they don't even realize it exists?

#### CONGRESS, AN INCLUSIVE BODY

(Mr. WITTMAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN of Virginia. Madam Speaker, we have a number of challenges in this country. We see the energy challenge we have before us. We've heard here in recent days of all of the challenges in our financial markets. I would suggest that we need to make sure that we use this opportunity to be inclusive when we make decisions.

Just the other day when an energy bill passed this body, there was a great opportunity there to make sure that we had the best ideas coming forward, to make sure that we worked on things in a bipartisan manner, to make sure we did what was in the best interest of this country. Unfortunately, that didn't happen. Unfortunately, those best ideas didn't all make it to the table, and that's not what this country is built on.

This country is built on making sure that this body makes decisions in an inclusive way, and I hope the Speaker will hold true to her words that she said earlier, that this was going to be the most inclusive body in the history of this body. You know, I'm concerned when that doesn't happen. It leaves out those great ideas. It leaves out segments of America who want their voices heard here to make sure that we do things in a fair and equitable way.

Madam Speaker, I call on you to make sure that we do have an inclusive process in this body.

#### FILIPINO VETERANS EQUITY ACT

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Madam Speaker, I rise today to urge Congress to restore U.S. veteran status to the surviving soldiers

of over 250,000 Filipinos who were called into military service to the United States Armed Forces by President Roosevelt on July 26, 1941.

Every year, I meet with the Filipino World War II veterans who walk the halls of Congress seeking to undo the injustice of the 1946 Recission Act which denied these veterans of their rightful benefits. Of all the Filipinos ordered into combat, only 18,000 are alive today, with each passing day bringing another funeral. These veterans remain loyal to this country. You know in your hearts that these veteran soldiers who fought under our flag deserve the promise we made to them six decades ago. We are a country of promise makers, and therefore, we should be a country of promise keepers.

America's greatness is in its strength of character. Now it is our turn in the House to right this injustice. This is not just about the benefits for a few surviving heroes; it is also about our honor as a country and as a legislative body.

Let's do the right thing and return to the Filipino World War II veterans their due—recognition of a grateful nation that their service to our country is just as equal as the soldiers with whom they stood shoulder to shoulder on the field of battle.

#### COMPREHENSIVE ENERGY BILL

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Madam Speaker, there was an energy bill brought to the floor yesterday, but unfortunately, it was not a comprehensive bill or open for debate, and no Member was allowed to offer any amendment expanding the scope.

The bill passed restricts miles of coastal States like my State of South Carolina. It tells us what we can explore, and it prohibits the States from sharing any revenues. That's a bad deal for coastal States, and it's a bad deal for this country.

It imposes a new 15 percent renewable energy requirement on utilities, but it leaves out energy sources like nuclear, most hydro and even clean coal. South Carolina gets about 50 percent of its power from nuclear energy, and this legislation will penalize my State. So it's a bad deal for South Carolina, and it's a bad deal for this country.

Madam Speaker, what I also left out of this so-called comprehensive bill is coal-to-liquid technology, increased refinery capacity, domestic exploration in ANWR, and nuclear energy—our cleanest and safest supply of energy that we have.

Madam Speaker, the bill passed is a bad deal for America. There is a smarter way. Let's bring comprehensive energy legislation like the American Energy Act to the floor.

REPUBLICANS ARE IN THE POCKET OF BIG OIL, NOT INTERESTED IN HELPING STRUGGLING AMERICANS

(Mr. ARCURI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCURI. Madam Speaker, on Tuesday, Democrats passed a comprehensive solution to the country's energy crisis, but for all of their talk about solving this problem, Republicans still oppose the effort. It's no surprise the Republicans are against this commonsense energy plan. The plan makes Big Oil pay royalties on land they've leased for years so Americans can start benefiting from oil companies drilling on our land. That's only fair. It is the American people's land. Shouldn't they get some of the benefits?

Our legislation also repeals tax breaks and subsidies that Big Oil has been getting for years, thanks to the Washington Republicans. Every quarter, Big Oil is announcing larger profits. They don't need corporate welfare. This comprehensive energy legislation will help people—those middle class Americans suffering from high gas prices and dealing with the failed Bush-McCain economy at the same time.

Madam Speaker, Tuesday's energy vote shows that Democrats are working to help the American people, not lining the pockets of Big Oil.

#### A PRETEND BILL

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Madam Speaker, there is a song in a Broadway musical that reads "there's a fine, fine line between reality and pretend." That signifies, I think, what this House has been doing this last week.

There is a real energy crisis that's harming people. There was a real energy solution, an all-of-the-above, that was not allowed the courtesy of an open debate. Instead, we passed a pretend bill that pretended to open up the offshore when it did not, that pretended that the oil in ANWR does not exist, that pretended that coal and nuclear is not a part of our solution, that pretended that there is enough money to develop alternative sources when there is not, that pretended to be a serious solution, but all it did is allow anybody, whether they voted for or against it, to go home to his or her district and say, "I did something on energy."

We were on the cusp of doing something great, but instead, the reality is all we did is legitimize the cynicism people have of this particular body. We could have done so much more. The fact that we did not is a sad indictment of the process of this Congress.

### VETERANS BENEFIT ENHANCEMENT ACT

(Mr. SCOTT of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT of Virginia. Madam Speaker, I rise to speak today in support of the bill S. 1315, the Veterans Benefit Enhancement Act of 2007, which contains a provision that gives veterans' benefits to Filipinos who fought under the U.S. flag during World War II.

As the only Member of Congress with any Filipino ancestry, I'm pleased to speak today in support of these benefits for Filipino veterans.

Members of the Commonwealth of the Philippines' military were promised full veterans' benefits if they fought for the United States during World War II. Because of this promise, many Filipino soldiers fought tirelessly and courageously for the United States, and they helped us defeat the Japanese empire in the Pacific.

We have failed to fulfill our promise, and these veterans deserve the benefits that they were promised over 60 years ago. S. 1315 provides surviving Filipino veterans, all of whom are now in their eighties, with full veterans' benefits.

In honor of the service of the Filipino veterans, I urge the House of Representatives to act swiftly and to take up and pass S. 1315.

□ 1015

### BEST OF THE WORST EXAMPLES OF MEDIA BIAS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, by a 5-to-1 ratio, Americans believe the media are trying to help Senator OBAMA win the Presidency. The following partial list of the "Best of the Worst" examples of media bias shows why Americans are right to be concerned.

One, Senator OBAMA has led Senator MCCAIN in news coverage for 12 consecutive weeks, according to the Nonpartisan Project For Excellence in Journalism.

Two, journalists who gave money to Senator OBAMA outnumber those who contributed to Senator MCCAIN by a 20-1 margin, according to Investors Business Daily.

Three, while the media often label Governor Palin "conservative," they rarely call Senator OBAMA or Senator BIDEN "liberal," even though the National Journal ranked Senator OBAMA as the most liberal Member of the Senate and Senator BIDEN as the third most liberal Member of the Senate.

Four, the New York Times opinion editor, a former staff member in the Clinton administration, refused to publish an op-ed by Senator MCCAIN about the Iraq war, just days after publishing

an op-ed on the same subject by Senator OBAMA.

Five, although the media criticize Senator MCCAIN for running negative TV ads, the nonpartisan Wisconsin Advertising Project found that 77 percent of Senator OBAMA's recent ads have been negative, far more than Senator MCCAIN's.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that when their time has expired, they are meant to end their remarks.

### SUPPORT THE BORDER SECURITY SEARCH ACCOUNTABILITY ACT OF 2008

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I come to the floor today to urge my colleagues to support H.R. 6869, the Border Security Search Accountability Act of 2008, which I introduced into the House last week. This bill establishes strict guidelines for Customs and Border Patrol and Immigration and Customs Enforcement's electronic device seizure policy.

It is important to ensure that Customs and Border agents have the tools necessary to go after potential terrorists. This bill allows for the appropriate search, review, retention and sharing of information on an individual's electronic device, as necessary for security purposes.

H.R. 6869 also ensures that when an individual's property is seized at a point of entry, there is a well-defined procedure in place that will protect their privacy and electronic data, especially the doctor-patient and attorney-client privileges. This legislation also requires the Department of Homeland Security to post information about individual rights related to border searches in visible areas near the search points so that individuals will understand their rights.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to heed the gavel when their time has expired.

### GOOD ENERGY BILL NEEDED

(Mr. CARTER asked and was given permission to address the House for 1 minute.)

Mr. CARTER. Madam Speaker, we have got an investment crisis that seems to be rising and the talking heads were on television last night talking about it. Most everyone agreed that we needed a long-term plan that our investing community could look to as we grow our economy. It needs to be

long-term and it needs to have solutions. Part of that was an energy plan, a plan you could rely upon.

I heard an environmentalist this morning say we need to go to alternative fuels, but we need a transition with carbon-based fuels. Yet we passed an energy plan which purports to have drilling for these necessary oil and gas resources, but there is still in place the availability of radical environmentalists to stop all drilling by filing lawsuits. They have declared 80 percent-plus of the areas off-limits to drilling, and they have set up kind of "gotchas" that will prevent the rest of that drilling.

We need a good energy plan.

### ANOTHER CHANCE FOR GOP TO STAND UP TO WALL STREET

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Well, we are going to give the Republicans another chance today. They have been standing up for Big Oil this week and their obscene profits, but we are going to give them a chance one more time. Twice they have killed legislation on the floor of the House to rein in energy speculators. Now they are creating this fantasy that George Bush lifting the moratorium on offshore oil drilling drove down the price of oil.

Well, no. Actually, the price of oil started to drop when we first debated reining in energy speculation on the floor of the House. It had already dropped considerably before Bush lifted the moratorium.

Oil 10 years out is doing nothing for this year's speculation. Going after the speculators by releasing oil from the SPR and breaking their backs, or just reining them in with regulation, which this administration hates, which has brought about the crash on Wall Street, will bring much more immediate relief to the American consumers.

If we rein in speculation, then we won't see these obscene run-ups again next year around Memorial Day. \$600 billion of speculative money flooded into that market. When it started flowing out, the price of oil dropped.

Rein in the speculators. Come on, GOP; stand up with us and take on Wall Street.

### DEMOCRAT HOAX BILL WAS ALL ABOUT POLITICAL COVER

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, on Tuesday, the House had a choice. They could support a bipartisan energy plan that invests in renewable energy resources, supports conservation and expands exploration for American oil and natural gas. It was not a perfect bill. There were additional items like nuclear energy that were not addressed, and should be.

Unfortunately, House Democrats made a different choice. They decided to stand with their leadership and support a hoax of an energy bill that had no input from the minority, had been crafted overnight by the House Democrat leadership, and failed to provide revenue sharing for States that authorized deepwater drilling off their shores. Moreover, the Democrat bill had a renewable energy mandate that would mean higher electricity bills for families of southern and midwestern States.

There was a bipartisan choice, and I am disappointed that so many chose to vote for a hoax bill that was all about political cover.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### EIGHT DISASTROUS YEARS UNDER PRESIDENT BUSH

(Mr. OLVER asked and was given permission to address the House for 1 minute.)

Mr. OLVER. Madam Speaker, as the stock market plunges, financial institutions fail and the economic pain Americans feel grows, our Republican colleagues' only answer is to drill.

Drilling won't help the 2 million Americans who have lost jobs in the last year. Drilling won't protect 46 million Americans without health insurance, 7 million more than when George Bush took office. Drilling won't help nearly 6 million people who have slipped into poverty. Drilling won't bring back the huge surplus that George Bush inherited and squandered. And drilling won't help the 3 million families who have lost their homes to foreclosure in the last 3 years.

Despite their cries for drilling, our Republican colleagues voted against accelerated drilling in the National Petroleum Reserve, already under lease, and against drilling on the Outer Continental Shelf. In fact, the drilling they do support wouldn't produce new oil for at least 8 years.

In truth, they don't want to help American families. They only want to distract public attention from eight disastrous years under George Bush.

#### SUPPORT THE REPUBLICAN ENERGY BILL

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Madam Speaker, the speaker just before me just admitted that the jobs that have been lost primarily have been lost while the Democrats have been in control of this Congress. They continue their assault on the American family with their energy bill, which doesn't help American families who are hurting at the pump.

This new bill results in an \$85 tax hike on consumers. Our constituents have been looking to us for relief. That bill does not bring the relief they need.

Skyrocketing gas prices have taken a dramatic toll on almost every area of our lives. Families have had to adjust by tightening budgets. Schools adjust by cutting field trips and textbook purchases. Small businesses are watching their profits shrink, while making tough decisions about expanding their company or being able to make their payroll. This is has all occurred under the Democrats' watch in the last 20 months.

The House Republican plan increases production of American-made energy in an environmentally safe way. It promotes new, clean and reliable sources of energy, while cutting red tape and increasing the supply of American-made fuel and energy.

The Republican plan encourages greater energy efficiency by offering conservation tax incentives to Americans who make their home, car, and business more energy efficient.

The House Republican plan helps American families combat the increase cost of energy. I invite my colleagues on the other side of the aisle to join us in bringing real solutions to the energy crisis.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind persons in the gallery that they are guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

#### ATTENTION NEEDED FOR MAIN STREET, NOT JUST WALL STREET

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. American taxpayers, think about this: So far this year the Bush administration has put you on the hook for \$30 billion to prop up an investment house on Wall Street, Bear Stearns. Now you have been pledged to insure \$200 billion to \$2.4 trillion for the stock of loss-plagued Fannie Mae and Freddie Mac. And taxpayers this week have been put on the hook for the insurance company American International Group to the tune of \$85 billion. It seems like for Messrs. Paulson and Bernanke, any blank check for Wall Street can't be bigger. Every day it gets bigger.

Now, what about Main Street? In the State of Ohio, we are hemorrhaging with mortgage foreclosures. There are no workouts. Messrs. Paulson and Bernanke haven't come to Ohio to make some of that cash available. Ohio needs \$20 billion to do workouts now. We will have over 100,000 more foreclosures this year. All that legislation we passed here in Congress, it has no bite, because it isn't helping people now.

We need some attention to Main Street, not just Wall Street.

#### SUPPORTING EXPANSION OF ELIGIBILITY OF BENEFITS FOR FILIPINO VETERANS

(Mr. ABERCROMBIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABERCROMBIE. Madam Speaker, I rise to urge the immediate support for the expansion of the eligibility of benefits for Filipino vets.

On July 26, 1941, Franklin Roosevelt brought the Philippine Commonwealth Forces under the control of the United States during World War II. Yet when their service ended, they did not receive the same benefits or treatment as other American soldiers.

Congress passed the Rescission Act in 1946, against General MacArthur's open objections. This even includes such things as burial benefits. No other group of veterans has been systematically denied these benefits. There will be only 20,000 left by 2010.

There is some contention here that the Filipino veterans that fought with us as allies are not U.S. citizens. We are paying Sunni tribesmen who killed American soldiers bribe money today in Iraq, but the Filipino vets who saved American soldiers are left out of the benefits as allies of the United States.

This is shameful and needs to be stopped immediately. Bring those benefits to these Filipino vets, who are the allies and comrades in arms of United States soldiers.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment in which the concurrence of the House is requested, bill of the House of the following title:

H.R. 6889. An act to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

#### PROVIDING FOR CONSIDERATION OF H.R. 3036, NO CHILD LEFT INSIDE ACT OF 2008

Ms. CASTOR. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1441 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1441

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3036) to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education

and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. During consideration in the House of H.R. 3036 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 1 hour.

□ 1030

Ms. CASTOR. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only. I yield myself such time as I might consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1441.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. CASTOR. Madam Speaker, House Resolution 1441 provides for consideration of H.R. 3036, the No Child Left Inside Act of 2008, under a structured rule.

The rule provides 1 hour of general debate controlled by the Committee on Education and Labor. The rule makes in order five amendments printed in the Rules Committee report. The rule also provides for one motion to recommend with or without instructions.

Madam Speaker, it is important that elementary and secondary schools across America continue to offer curriculum that is aligned with the needs of our children and the interests of our great country. That is why the Congress will move today to extend the National Environmental Education Act under an initiative offered by the gentleman from Maryland, Mr. JOHN SARBANES, entitled the No Child Left Inside Act.

This national environmental education bill was reported by the Committee on Education and Labor by a strong bipartisan vote. Under the leadership of the Education and Labor Committee chairman, GEORGE MILLER, our Nation's students have been well served by this Congress with numerous landmark reforms and investments.

I thought we would take the time just to name a few. This Congress has passed the College Cost Reduction Act that was signed into law last year. It provides the single largest increase in college aid since the GI Bill, roughly \$20 billion over the next 5 years. But it does so at no new cost to taxpayers.

Under the law, 6.8 million students who take out need-based Federal student loans each year will see the interest rates on their loans halved over the next 5 years, saving the typical borrower over \$4,000 during the life of the loan once that is implemented.

That College Cost Reduction Act also boosts the maximum Pell Grant scholarship to \$5,400 over the next 5 years. That's up from about \$4,000 in 2006.

In a part of that bill that has not received a lot of attention, that new law provides loan forgiveness for public service members like nurses, police officers, firefighters and first responders and makes those loan repayments more manageable and gives up-front tuition to students who commit to teaching in the high-need public schools.

This Congress has also passed, and it has been signed into law, the Ensuring Continued Access to Student Loans for American Families. There is nothing more important during this credit crunch than that affordable student loans and access to college remains available for our young students that would like to attend college.

That Ensuring Continued Access to Student Loans for American Families Act provides new protections, in addition to those already in current law, to ensure that families continue to have timely, uninterrupted access to Federal college loans in the event that distress in the credit markets leads to a significant number of lenders in the federally guaranteed student loan programs to substantially reduce their lending activity.

The Congress has also passed, and it was signed into law just last month, the expanding college access for students and families law. It passed the House here by a vote of 380-49. The legislation addresses the rising price of college by encouraging colleges to rein in price increases, clean up corrupt

practices in student loan programs and streamline the Federal financial aid application process. The bill also addresses textbook costs and increases college aid and support programs for veterans and military families.

Madam Speaker, this is another bill before us today that continues the new direction, Congress' commitment to higher education, and to improving elementary and secondary education for students across America.

Today we will focus on improvement to environmental education for America's schools, the best kind, where Washington doesn't dictate the parameters or curriculum to local schools, but gives schools the tools they need to decide themselves how to modernize curriculum. Today, it is our challenge, and the challenge of our children, to build a more sustainable energy efficient world, and sometimes you have to get outside the classroom and learn by doing and exploring your environment.

Many children, including my 9-year-old daughter, learn more effectively this way. I know many of you love to visit classrooms and talk with students, like I do.

Students today are particularly interested in energy conservation, climate change, clean air and clean water. Students, teachers and schools are clamoring for more knowledge and understanding of our natural environment.

Unfortunately, many schools and school districts simply do not have the resources to teach beyond the basics these days. Since the enactment of the No Child Left Behind Act, we have seen a narrowing of school curriculum with schools being forced to spend more and more learning time preparing for high-stakes testing.

Well, like other science courses, this grant program, under the national environmental education program, the environmental education instructs students in critical thinking, problem solving, teamwork, obtaining and analyzing data, communication and learning by doing. These skills are critical for success in the 21st century, and environmental education helps students by learning how to conserve, how to conserve energy, how to ensure safe products are on the shelves, which eventually strengthens our Nation's economy and makes it a much safer world.

Our environmental actions here at home have an impact on the global economy and on our energy security, and energy security is national security. Having a solid understanding of natural environment and our global interdependency is critical to keeping this Nation safe.

The modest but important resources we will send to local schools under this National Environmental Education Act is particularly helpful now. Helping our kids to learn about the natural environment in an active learning setting will motivate students and propel them

towards success. It will pull kids away from the TV sets and the video games and the video screens and bring them outdoors.

The bill supports local efforts to expand and enhance environmental education and also provides teachers with important professional development opportunities. Under this legislation, our Nation's teachers will become better equipped to teach students about the environment and encourage students to be knowledgeable about environmental issues and how they affect all of us.

When environmental education is integrated into the classrooms, students and teachers are better able to use current, local environmental issues to increase their understanding of math, science, history and other academic subjects.

Environmental education is a powerful tool to help motivate students to help take care of the environment and help improve their academic achievement.

This bill also strengthens environmental literacy plans. According to the Campaign for Environmental Literacy, Americans still widely lack the environmental knowledge that will enable them to safeguard the public health, protect natural resources, support energy conservation efforts and engage in the movement towards a more sustainable future.

So this is a win-win proposition for our local schools, for teachers and for the future of our great country. This legislation will modernize environmental education for the 21st century by emphasizing environmental literacy.

I urge passage of the rule and this underlying bill.

Madam Speaker, I reserve the balance my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank my good friend, the gentlewoman from Florida (Ms. CASTOR) for the time, and I yield myself such time as I may consume.

Every day our Nation faces new and critical challenges on how to approach globalization, really the great issue of our time. It is an extremely difficult and controversial issue that affects our economy, and it affects so much more.

It is important, now more than ever, to equip our students, not just with the basics, math, reading, social studies, and et cetera, but also with opportunities in areas such as science and the environment to compete in tomorrow's global economy.

This legislation, the legislation we are bringing to the floor with this rule, reauthorizes the National Environmental Education Act administered by the Environmental Protection Agency. Among other things, the bill will create opportunities for enhanced and ongoing professional development in environmental fields.

It authorizes the Secretary of Education to award grants to help environmental education become more effective,

more widely practiced. It establishes seven uses of funds aimed at encouraging increased environmental education.

Environmental education is an important issue that Congress should support. But, really, with just a few days left in the legislative calendar for this Congress, what we ask is whether this is what really is considered by the majority among the highest priorities, whether it is legislation that we need to be considering, with just hours before leaving before the end of this Congress, and with great challenges facing the Nation, including very significant economic challenges and an energy situation, extraordinarily rising prices, whether this is the type of priority that we need to be setting aside time for at this time.

This bill, which is a good bill, could easily have been placed on what is known as the suspension calendar, in other words, taking it automatically to the floor. Obviously it received overwhelming bipartisan support. But, instead, we are here today spending time on debating a noncontroversial—an important but noncontroversial environmental education program.

So we think that it's most unfortunate, but symptomatic, of how this new majority has run this Congress. Just last week we spent 2 hours of debate time discussing a study of a river in Vermont. On another occasion we spent precious time debating the Washington-Rochambeau Revolutionary Route National Historic Trail, the Taunton River in Massachusetts, the land claims of the Bay Mills Indian community, and the Chesapeake Bay Gateways and Water Trails Network. Those are the priorities of this majority.

Now those are important issues. They are not the energy crisis and the serious attention that we need to be devoting to stabilizing our markets. We need to make sure that America remains the Nation where the entire world seeks to invest because of confidence in the future of the United States.

Madam Speaker, I reserve the balance of my time.

Ms. CASTOR. Madam Speaker, we do not have any additional speakers, so I will reserve the balance of my time until the gentleman from Florida has made his closing statement.

□ 1045

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I thank my distinguished friend, Ms. CASTOR.

Americans are tired of spending more and more of their paycheck, of their resources, for their energy needs. And for months they have been calling on us to take up legislation that will help lower the price of gasoline.

Now just like the overwhelming majority of the American people, we in the minority in this Congress have been calling for legislation that will help the American consumer with the

skyrocketing price of energy. Yet every time we have tried to debate real energy legislation, the majority has blocked and has stymied our efforts.

In August, the majority decided to go on the recess instead of seeking to solve an extraordinarily high priority for the American people, the rising gas prices. I guess the majority must have heard quite a bit from their constituents in August because when they returned in September, they decided they would finally say they would debate energy legislation.

On Tuesday of this week, the majority brought to the floor legislation, the so-called Comprehensive American Energy Security and Consumer Protection Act, which does nothing to produce energy or provide Americans with energy security since it will only increase our dependence on unstable foreign sources of energy. The bill brought to the floor this week by the majority was a farce. It will never be enacted into law and was only put together to provide the majority with an attempt at political cover so they can say that they passed energy legislation when in reality they did nothing.

Now the majority is set to end this Congress and any chance to actually pass genuine comprehensive energy legislation. That's where we are today.

Well, we do not have to leave here and head home without having considered comprehensive energy legislation.

Madam Speaker, I will be urging my colleagues to vote with me to defeat the previous question so the House can finally consider genuine solutions to rising energy costs. If the previous question is defeated, I will move to amend the rule to prohibit the consideration of a concurrent resolution providing for adjournment until comprehensive energy legislation has been enacted into law.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. By voting "no" on the previous question, Members can assure their constituents that they are committed to enacting legislation to help their constituents with rising energy prices. I also remind Members that the previous question in no way will prevent consideration of H.R. 3036, this legislation on environmental grants to schools. I encourage a "no" vote on the previous question.

Madam Speaker, I yield back the balance of my time.

Ms. CASTOR. Madam Speaker, over the past year and a half, this new direction Congress has been solely focused on growing and strengthening America's middle class. Despite the protestations from my friend from the other side of the aisle, it was just this



week that we passed the most comprehensive, balanced energy legislation that has been considered in the past decade. That Comprehensive American Energy Security and Consumer Protection Act proved that there are real differences between the two sides of the aisle here because our energy bill was focused on lowering prices for consumers and protecting taxpayers.

Yes, it expanded domestic drilling offshore and on land, but it also added a huge expansion of renewable sources of energy. It increases our security by freeing America from the grip of foreign oil. And it finally requires Big Oil to pay what it owes the American taxpayers.

Is it fair that Big Oil continues to receive taxpayer subsidies at a time when they are making huge record profits? No, it doesn't, so we end the subsidies to the big oil companies. And a lot of this new emphasis on clean, green, renewable energy will have the extra added benefit of creating good-paying jobs here in America.

Besides energy, we have also been focused on landmark education reform. Indeed, as I highlighted at the beginning of consideration of this bill, we've passed truly landmark historic investments in education for America's students. First was the single largest increase in college aid since the GI bill, the College Cost Reduction and Access Act of 2007. Under that law, 6.8 million students who take out need-based Federal loans each year will see the interest rates on their loans cut in half.

We increased Pell Grants by over \$1,000. We have also passed and it was signed into law by President Bush the Ensuring Continued Access to Student Loans For American Families Act. That is so vital during this turmoil in the financial markets. It is absolutely vital that American families can still get those low-cost student loans. That new law provides new protections to ensure that families have timely, uninterrupted access to Federal college loans in the event that distress in the credit markets leads to a significant number of lenders not being liquid and being able to lend to families.

We also expanded college access for students and families, we cleaned up the corrupt practices going on on some campuses in student loan programs, addressed student textbook costs and increased college aid and support programs for veterans and military families.

And one that I didn't mention but I think we can all celebrate, the hugely bipartisan and popular new GI bill for the 21st century that will provide 4-year scholarships to the brave men and women who have served in the wars of Iraq and Afghanistan. We truly have been on the side of American families and the middle class.

This modest bill today also renews our commitment to the No Child Left Inside Act. Doesn't that really bring all of this together as we focus on energy policy and improving our public

education and higher education in this country, a modest but important commitment to students at home who are interested in environmental sustainability and energy conservation. We will provide additional resources to our schools and our students so they can get outside the classroom, get away from the TV set and the video games and learn by doing, learn in an active setting, learn out in the natural environment how to conserve energy and to address global climate change.

Studies shows that environmental education boosts student achievement, it builds students' critical thinking and social skills, it improves student behavior, and it can enhance teaching. So we are going to help schools and States expand and enhance environmental education. We are going to focus on qualified expert teachers in the Nation's classrooms, and strengthen and develop environmental literacy plans.

For a long time there was another group in charge here in Washington, and it oftentimes seems like over the past decades it has been the Democrats who have had to come in and clean up the mess of past administrations. Well, I think we are proving again that we are on track to do that again. We are all in this together and we need to pass this bill. I urge a unanimous "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1441 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution add the following new section:

SEC. 3. It shall not be in order in the House to consider a concurrent resolution providing for an adjournment of either House of Congress until comprehensive energy legislation has been enacted into law that includes provisions designed to—

(A) allow states to expand the exploration and extraction of natural resources along the Outer Continental Shelf;

(B) open the Arctic National Wildlife Refuge and oil shale reserves to environmentally prudent exploration and extraction;

(C) extend expiring renewable energy incentives;

(D) encourage the streamlined approval of new refining capacity and nuclear power facilities;

(E) encourage advanced research and development of clean coal, coal-to-liquid, and carbon sequestration technologies; and

(F) minimize drawn out legal challenges that unreasonably delay or prevent actual domestic energy production.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It

is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's "American Congressional Dictionary"*: "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. CASTOR. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 6604, COMMODITY MARKETS TRANSPARENCY AND ACCOUNTABILITY ACT OF 2008

Ms. SUTTON. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1449 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1449

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6604) to amend the Commodity Exchange Act to bring greater transparency and accountability to commodity markets, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 6604 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1 hour.

Ms. SUTTON. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SUTTON. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1449.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Ms. SUTTON. I yield myself such time as I may consume.

Madam Speaker, House Resolution 1449 provides for consideration of H.R. 6604, the Commodity Markets Transparency and Accountability Act. The rule provides for 1 hour of debate controlled by the Committee on Agriculture and provides one motion to recommit with or without instructions.

The rule makes in order as base text an amendment in the nature of a substitute printed in the Rules Committee report. The text of this substitute amendment is almost identical to the version of the bill that was considered under suspension of the rules on July 30. That bill received 276 votes from both sides of the aisle.

Madam Speaker, since this bill was last on the House floor in July, the

American people and our economy continue to struggle with high food and energy prices and a weak job market. From the subprime mortgage crisis and the financial meltdown, to the unethical behavior of the Minerals Management Service, the necessary and proper oversight has clearly not been taking place. In some cases laws may have been broken, and as a result homes have been taken through foreclosure. Savings have been lost. Dreams of the American people in many cases have been shattered.

Madam Speaker, we are fighting to stop the pain that the American people are feeling, to restore their trust in government, and revitalize our communities.

We must take action and we must take action now. For many years now, too many Americans have felt that their government is working not with them but against them. But this Democratic Congress is working to take our Nation in a new direction. On Tuesday we passed a comprehensive energy bill that will lower gas prices for American families, invest in renewable and alternative energy, and responsibly expand exploration in the Outer Continental Shelf.

□ 1100

But Madam Speaker, speculators continue to enjoy free rein at the expense of our pocketbooks. And that is unacceptable.

We have all seen the recent headlines and reports identifying that oil speculators are out of control. One of the newspapers serving my congressional district, the Cleveland Plain Dealer, printed an article last Thursday on this very issue. The headline read, "More scrutiny of oil speculators. Evidence shows they operated in 'dark markets' to hide prices."

The article goes on to state that "unregulated markets account for about two-thirds of oil trading, and that they can be used to manipulate oil prices."

Madam Speaker, as I said earlier, the American people simply want a government that works for them instead of against them. Today, we will pass the Commodity Markets Transparency and Accountability Act so that our commodity markets will, once again, work the way they were intended to work.

Our bill provides the Commodity Futures Trading Commission, or the CFTC, with new resources to improve enforcement, prevent manipulation and prosecute fraud. It provides the CFTC with the authority and direction to address excessive speculation which has undermined the basic principles of supply and demand. It has artificially inflated the price of oil and, in the process, has hurt families in Ohio and all across this great Nation. This bill will work for the people, instead of working for those who look to exploit loopholes and seek to manipulate the market.

Now we all know that Wall Street has found exotic ways to create their

own markets, and with this bill, we will fix the London Loophole. And why is that important?

The London Loophole currently allows traders to circumvent U.S. laws and trading rules by working through foreign boards of trade. This bill requires foreign boards of trade that offer electronic access to U.S. traders to adopt similar speculative limits and regulations. The foreign boards of trade will also now be required to share large trader reporting data with the CFTC.

Additionally, H.R. 6604 requires that the CFTC set standards for all energy and agricultural futures markets. This is critically important, as it will limit traders' ability to distort the market.

Our bill will also require the CFTC to have a complete picture now of the swaps markets. Index traders and swap dealers will be subject to strict reporting and recordkeeping requirements.

And lastly, under this bill, position reporting will become mandatory for over-the-counter trading in agricultural and energy contracts.

Now, Madam Speaker, some of what I've said sounds very technical, and it may be a little bit difficult to understand because of that technicality. But to put it very simply, our actions here today will add the necessary oversight and transparency to shed light on the "dark markets."

With the recent revelations on Wall Street and the run-up on oil prices under the Bush administration's failed energy policy, these changes are long overdue.

But there are some, Madam Speaker, who may not want us to make the changes in our market system so that we can bring relief to the American people. There are some who may try to say that we're adding too much regulation.

But the recent collapse of certain financial giants has only further illustrated the great need to revisit these issues and ensure that the voices of the people are being heard, and that they are being protected.

There are some who may try to say that we're restricting the ability of hedgers, those who trade in futures, to offset their price risk. But they are misinformed. This bill provides exemptions for bona fide hedgers. They are the ones that the commodity markets were designed to work with.

But we know that unscrupulous speculators can interfere with the ability of producers and processors who use these markets for legitimate purposes. On Tuesday, as speculators dumped oil for cash, oil closed at just over \$91 a barrel, a nearly 38 percent drop since the record high of \$147 in July. But just yesterday, oil prices shot up \$6 a barrel as, "fears of a spreading crisis in the U.S. financial sector sent skittish investors scrambling out of stocks," according to the AP.

Madam Speaker, our commodities should not be treated as a speculator's safety net. We cannot allow speculators to continue to drive prices of our



commodities beyond the normal ebb and flow of supply and demand.

Families in my district and all across our great country want commonsense policies that will work for them, instead of rewarding a select few. This is the new direction that the American people have called for, one that puts the voices of the people ahead of the special interests.

I hope that all of our colleagues will join us in taking this step today to pass this bill that, as I mentioned, has previously passed with a bipartisan majority in July, but not the two-thirds majority that was necessary under suspension. But we can get it done.

Madam Speaker, the Commodity Markets Transparency and Accountability Act will increase oversight and transparency, and will prevent oil prices from being artificially inflated.

I urge my colleagues to support House Resolution 1449 and this incredibly important underlying legislation.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I want to thank the gentlewoman, my friend from Ohio, for extending the time to me.

Madam Speaker, I rise in opposition to this once again closed rule, and to the underlying previously failed legislation that this Democrat majority is bringing to the House floor, without having made any substantive improvements to it since it last failed on this House on July 30, and despite an agreement during that time that they would work with members of the Republican Party to try and better the bill.

Like every other Member of this House, I'm concerned about the crushing economic impact that rising food and fuel prices are having on American families. That is why I strongly support the Commodity Futures Trading Commission's recent steps to increase transparency in the oil futures market and their continued vigor in enforcing existing laws governing U.S. futures markets, including the long-time prohibition against market manipulation.

My concern for the economic and retirement security of American families is also why I do support certain parts of this bill, including its increased data reporting requirements, and its authorization of at least 100 new full-time employees to increase the public transparency of operations in agriculture and energy markets, and otherwise monitor price manipulation and commodities futures market.

However, it is this same concern for American families and our American economy that forces me to oppose a bill that has the potential to destabilize commodity prices and dry up market liquidity at a particularly vulnerable time for our entire economy, instead of simply increasing transparency and improving enforcement.

While I disagree with his approach to improving our Nation's commodities market, the chairman of the House Committee on Agriculture and I do

agree about several things. First, yesterday evening in the Rules Committee, my friend, COLLIN PETERSON, chairman of the Agriculture Committee, testified that he was not, was not bringing this bill to the floor because he thought that it would bring down the price of energy at the pump for American families. He does not believe it will. I don't believe it will bring down prices at the pump. And he's exactly correct.

This bill, like the no-energy sham legislation that the Democrat majority brought to the floor just earlier this week, this bill will do absolutely nothing, absolutely nothing to increase the supply of American-made energy that is the root of the high energy prices that are taking an enormous toll on American families and businesses.

Second, I agree with Chairman PETERSON's assertion in his testimony yesterday to the Rules Committee that he did not believe this bill would actually become law.

So here we are, taking time on the House floor, when the American people need action by this Congress to do something about energy legislation that will be signed into law, that will include doing something about the price at the pump. And instead, Chairman PETERSON said, I don't even think this bill's going to become law. We're not going to agree to this.

Like him, I do not think that this bill represents a serious attempt, which is what Congress should be about, especially as we near the end of the session, a serious attempt at providing legislative solutions to the very serious problems facing our economy, and that it is little more than a second opportunity this week for Members to claim, ah, but we're up there doing something, up there working 5-day workweeks.

We need to be doing something about addressing the high cost of energy. Without taking real and meaningful action to open up energy reserves, it simply will not happen. That's what the economy needs. We need to do something about the high price of energy.

If this were a serious attempt to solve our Nation's problems, Democrat leadership forcing this bill onto the floor would have made more than technical changes to the bill that failed just last time it was here, July 30, changes like the one proposed by my good friend and former CPA, MIKE CONAWAY of Texas, where he, in a colloquy with Chairman PETERSON, talked about the need to create a common understanding of risk management needs which market participants should be eligible for in a bona fide hedge exemption.

Of course there was an agreement on the floor, talk is cheap, about, yes, we'll work with you. And, in fact, that never happened. Never happened.

And then last night, given an opportunity in the Rules Committee, the Rules Committee, once again, even see-

ing the agreement that was made and that the offer was not accepted, did not even want to make Mr. CONAWAY's amendment in order. A real shame. A real shame for a House where there was a promise of the most open, honest and ethical Congress in history.

Instead, this House is getting something that is even worse than nothing, a bill that the Democrat majority didn't even see fit to include in its first so-called energy bill this week, which is also bringing to the floor its record-shattering 61st closed rule for this Congress.

Open. Honest. Ethical.

Madam Speaker, yesterday we had a chance to help just correct that just a little bit and level the playing field. Mr. CONAWAY was slam dunked in the Rules Committee again, despite what was said on this floor about working with members of the Republican Party. Better idea, a better way to make the bill happen.

Madam Speaker, unfortunately, this kind of closed process and this kind of cynical, political motivated work product has become characteristic of what we have seen now for almost 20 months. The most honest, most open and most ethical Congress in history, as promised by Speaker PELOSI back in 2006, and it's no wonder that the American people are giving Congress historic low, record low ratings on approvals for the job that Congress is trying to do.

I think we ought to be serious about our work. I think we should not bring bills to the floor where the committee chairman, at the time he presents his bill to the Rules Committee, admits this is never going to become law. It's a shame.

So, Madam Speaker, I urge all of my colleagues to oppose this rule and the underlying legislation which the Democrats don't believe will bring down energy prices when they crafted this supposedly comprehensive energy package earlier this week, and which the chairman of jurisdiction does not believe is a good reason for doing so now.

The American people are hurting. Our economy is hurting. People back home want leadership in Washington, and once again, the majority party has failed.

I think we should deserve more from the leadership. I believe that the Democrat Party should not have a closed process. I believe running for political cover for a vote that will go nowhere is a mistake. But I do know it's for their vulnerable Members, Members who want to pretend that they're doing something. What a shame.

I oppose this process. I oppose this rule. I oppose the underlying legislation, and I hope all of my colleagues will do the same.

I reserve the balance of my time.

□ 1115

Ms. SUTTON. Madam Speaker, it's my honor at this time to yield 2 minutes to the gentleman from Minnesota

(Mr. PETERSON), the distinguished chairman of the Agriculture Committee.

Mr. PETERSON of Minnesota. I thank the gentleman.

With all due respect to my good friend from Texas, I take a little bit of offense saying that the Agriculture Committee was not serious in what we were doing here. We take very seriously our responsibility in overseeing the CFTC, and this bill is, without a doubt, the most responsible bill that's been put together in this area in this Congress.

The reasons we're bringing it up is not because of the reasons that were iterated by Mr. SESSIONS, it's because we're doing our job. And maybe there's problems over in the Senate, but I can't control that. I just want to make sure that we don't have the same kind of problems happening on Wall Street in the CFTC that we see going on in these other areas where they have all of these crazy derivatives and everything else that they've dreamed up on Wall Street.

What they've done is they've created investment in the commodity market that, in my opinion, has no business being in there. This was something that was never intended. They're using the regulated market outside the position limits to offset that risk, which I think we've decided is wrong. And so we're fixing that.

This bill is supported by Mr. GOODLATTE. We passed this out of the Agriculture Committee. There were no Republican amendments offered in the committee, and on the floor of the House we had 291 votes, we had a two-thirds vote until the leadership came up and started twisting arms and it went down to 275.

So what we're doing is our job, and I guess I take offense when somebody criticizes us for doing our job.

Now in the case of Mr. CONAWAY, I apologized to him personally last night. I think I made it clear in the committee. I had a personal situation last week. I wasn't here. This happened, the bill failed right before the August recess, nobody was around. I think he has a legitimate point.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SUTTON. I yield the gentleman an additional 2 minutes.

Mr. PETERSON of Minnesota. I think he has a legitimate point. But some of the folks that we were working on on this bill have not come to that conclusion at this point. I think we can work through this, and we have reached out as of this morning to Mr. CONAWAY's staff and we're going to get together yet this week and next week to try to resolve this issue and try to get everybody on the same page.

So if we can get this bill out of the House, if the Senate moves, we're going to have a conference committee. And I told Mr. CONAWAY last night that this is an issue that we can deal with at that time.

We have issues on our side that we have people upset about that we took out of the bill to make sure it was all within our jurisdiction that we're also going to have to deal with.

So I apologize for being too busy when I got back to contact Mr. CONAWAY, but it was for no purposeful reason that I did that.

Mr. SESSIONS. Will the gentleman yield?

Mr. PETERSON of Minnesota. I would yield.

Mr. SESSIONS. Can you please tell us when the majority leader gave an announcement to this Congress that this bill would be considered? That's fair game.

Mr. PETERSON of Minnesota. I don't know exactly.

Here is my point. At the time this bill failed after it had passed, I talked to our leadership and they assured me that they would bring it back under a rule in September. If I would have been here last week, Mr. CONAWAY and I would have had these discussions and we wouldn't be in that part of things. But this was always the intention to bring this back, and we don't have a lot of time. We can't wait until next week to bring this up. We're going to run out of time.

I told the leadership that I wanted this bill brought up. They have brought it up, and I'm glad they did.

Mr. SESSIONS. Will the gentleman yield?

Mr. PETERSON of Minnesota. I would yield.

Mr. SESSIONS. Is the gentleman aware that Republicans and others in this House were given less than 3 hours' notice for the bill?

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. SESSIONS. I would like to extend to the gentleman 3 additional minutes.

The Republican Members in this body and the rest of the Members were given 3 hours' notice that this bill would be on the floor.

Mr. PETERSON of Minnesota. Well, that was not my decision.

What we're doing is the work of the Agriculture Committee. We asked them to bring this bill up so that we could get it passed. So that we're doing our work. We're doing our part.

Mr. SESSIONS. Do you believe that 3 hours' notice—you had indicated there were no Republican amendments—would be enough time for a Member that's a Republican to go down to Leg Counsel to get an amendment that's prepared to get it to Rules Committee? Do you believe that could be done? Because what you're saying is, well, no Republican even submitted an amendment.

Mr. PETERSON of Minnesota. Well, I'm sure that there's been a lot of cases around here where we would have liked more time.

Mr. SESSIONS. I thank the gentleman.

I would also like to ask the gentleman, was the gentleman aware that the gentleman, Mr. CONAWAY, had asked on this floor of the House of Representatives and was given, through your words of support, that you would work with him before the bill came back to the floor?

Mr. PETERSON of Minnesota. I don't think that's exactly what we said.

Mr. SESSIONS. Can you please tell me exactly what you think it was?

Mr. PETERSON of Minnesota. He and I had discussions about this issue. I think he and I were in agreement. The problem was the other folks that had bills that we had incorporated into the overall bill were not in agreement, and they're still not in agreement. And I think even if we would have worked on this last week, I'm not sure we would have come to an agreement by today.

I apologize. I was on a personal situation last week so I wasn't here. When I got back, we had a blowup on country of origin labeling and some other issues.

So I think if Mr. CONAWAY would—we had discussions last night, and I think we've got a way to move forward. But I'm not sure we're going to come to a resolution that's going to be agreeable to everybody. We may still have to have some kind of a, I don't know, process to try to work this out because there's people that think what Mr. CONAWAY is doing is opening up too big of a hole, if you will, in the hedge exemption. And so we've got to work through that.

Mr. SESSIONS. I appreciate the gentleman, my friend, the gentleman who's chairman of the committee.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has again expired.

Mr. SESSIONS. Madam Speaker, I extend myself such time as I may consume.

Madam Speaker, this is why last night or yesterday afternoon in the Rules Committee there was a very polite discussion and a request made by Republicans in the committee once we recognized that there were some problems that took place that were unavoidable on behalf of the chairman of the committee, on behalf of notice to Republicans, on behalf of a colloquy that engaged Members on this floor where we realized, Oh, I'm sorry. That just didn't happen. And we will not say it was anybody's fault, but there was agreement that there was a problem.

This is where the Rules Committee comes into play. The Rules Committee is a body that should have the ability to look fairly and equitably at an issue and then make a decision.

I had a discussion with the committee. I have only served on the committee 10 years. But I have seen people bring legislation to the committee and ask for relief and receive relief. Normally, if we were in January, February, March, April, May, some other time, open rules are not always allowed or amendments aren't always allowed

because they seem to open up all other issues and ideas.

This was a very specific idea. This was an idea that was agreed upon that there would be a discussion, and the Rules Committee slam dunked the gentleman from Texas as well as Republican Members after hearing positive testimony from both sides, not even giving relief.

This is exactly what Republicans are talking about, and I believe the American people, that this Democrat majority and the Rules Committee, which set a record-shattering 61 closed rules—for any Congress a record—simply is so flatlined upon doing politically what they choose to do and by showing their power that there is not even a voice that's open.

What the gentleman has suggested to us today is that he knew of no other process for the gentleman to go through. Well, it's called an amendment that would be on the floor of the House of Representatives where our colleagues cannot only hear the issue but then get a chance to vote on it.

So today we're here without the ability to vote on it, but we have the gentleman, Mr. CONAWAY, and I would like to yield him 5 minutes.

The SPEAKER pro tempore. The gentleman will suspend.

The Chair recognizes the gentleman from Ohio.

Ms. SUTTON. Thank you, Madam Speaker.

Before I yield to the distinguished gentleman from Vermont, I would like to yield myself as much time as I may consume.

Madam Speaker, I thank the chairman of the Agriculture Committee for coming forward and talking about this issue here today and for making the point that this bill is a bill that is virtually identical to a bill that was passed in July, as I said, on a very big bipartisan vote; 61 of our friends, the Republicans, voted for it, including Mr. CONAWAY. That bill was the result of multiple hearings in the Agriculture Committee, and no Republicans during that period of time offered up any amendments in the Ag Committee markup.

Chairman PETERSON graciously made it very clear here today that this bill continues through the process and that he is absolutely willing to work with Mr. CONAWAY as we move forward on this very, very important legislation.

At this time, Madam Speaker, it's my honor to yield 3 minutes to the gentleman from Vermont (Mr. WELCH), a member of the Rules Committee.

Mr. WELCH of Vermont. I thank the gentlelady from Ohio.

Madam Speaker, this bill, I think, brings in sharp relief a major question that this Congress is now having to contend with.

Our economy has been hijacked by speculation. Institutions that have served average American families, average American farmers, average American businesses very well have be-

come casino chips on Wall Street. A couple of examples: One, mortgages. Folks were able to get a mortgage when they had enough savings and could get one that they could afford and they would buy a home. Mortgages were turned into subprimes that became investment vehicles by Wall Street, and now we're seeing the collapse.

A second institution, and this is why the Agriculture Committee is so involved, is the futures market. The purpose of the futures market was to give some price stability to our farmers, to our fuel dealers, to our airlines, folks who absolutely had a need for some price stability, some price discovery with the commodity they were producing.

And how did we get to this situation where it's been taken over by Wall Street? We can thank Enron for that. And it is important to understand historically how we got here.

Enron came into this Congress in 2001 and asked, literally, for a loophole, and they got it; and that was to allow speculative trading in the futures market. What that has resulted in is a vast increase in speculative activity in the energy market and the futures market for commodities by financial players as opposed to by farmers, by fuel dealers, by airlines.

We saw what happened with the subprime mess, and now we're seeing what has happened in the commodity futures trading market and why it's so essential that we get control on this and restore the futures market and restore it to what its original intention was, that is, something that's going to help the American consumer, the American farmer, the American small business.

This committee bill is bipartisan. The Agriculture Committee probably has the two most bipartisan leaders in the House with Chairman PETERSON and Representative GOODLATTE. And what they've done is made a decision in this committee to bring a bill that restores the commodity futures trading market to its original purpose, and that is having as its focus helping our farmers, our consumers, and small businesses and saying "no" to Wall Street; this is not one of your toys for speculation and enrichment.

So this is absolutely essential not just for the farmers and the small businesses, the fuel dealers, the airlines, but for capitalism itself. If we don't have mechanisms that reward work as opposed to just speculation, we're not going to have an economy that works.

So this bipartisan legislation recognizes the fundamental requirement that we have institutions that work to reward and help our farmers and our small businesses.

Today, the House will take up H.R. 6604, the Commodity Market Transparency and Accountability Act. This bill will take crucial steps to curb excessive speculation in the energy futures markets.

Each weekend I hear the same thing from Vermonters: increasing expenses for fuel,

child care, health care, and education are making it harder and harder for working families to make ends meet. Energy costs are an enormous driver of this crisis. The average U.S. heating oil bill is expected to be a record \$3,500 for the upcoming winter, up 76 percent from two winters ago. This is not sustainable. Based on the current state of the market, speculation is a large contributing factor to the astronomical spikes we have had in just the past 12 to 18 months.

In 2000, Enron and several large energy companies successfully lobbied the (Republican-led Congress to exempt energy markets from government regulation. This lack of oversight has resulted in multi-billion dollar price manipulation and excessive speculation by traders. This special interest loophole is allowing energy traders to rip off Americans who are already struggling every winter to heat their homes. The previous Congress sold us out to Enron, creating a Wild West in the energy markets at the public's expense. It's time to end this rip off.

Last November I introduced H.R. 4066, the "Close the Enron Loophole" bill. My bill and the bill we will vote on later today calls into question the excessive speculation occurring in the marketplace. Are we going to allow the oil futures market to continue to profit from ripping-off our hardworking constituents, or are we to pass and enforce responsible regulations on energy futures trading? Families who already struggle to pay fuel bills, should not be forced to choose between putting food on the table and keeping their house warm as energy traders continue to line their pockets.

This bill will not solve our energy problems. Forcing speculation out of the market is not a substitute for real commitment to a long term energy policy. As a nation that possesses less than 2 percent of the world's oil reserves, but uses 25 percent of the world's oil, we must adopt new policies—higher mileage standards for our vehicles, higher energy efficiency standards, tax incentives for clean energy alternatives, better construction designs, restoration of mass transit and rail—we can create jobs, improve our environment, develop affordable energy, and strengthen our national security.

□ 1130

Mr. SESSIONS. Madam Speaker, I really agree a lot with the gentleman from Vermont. What I disagree with and believe the problem is that we don't have enough oil that's available to the marketplace, and that's where Republicans are trying to bring more oil where we don't have to have speculation for people who absolutely, positively must have the oil available.

Madam Speaker, at this time, I yield 5 minutes to the gentleman from Midland, Texas (Mr. CONAWAY).

Mr. CONAWAY. I appreciate the gentleman for yielding me time.

I want to set the record straight, or at least set a record that says I have complete trust in the chairman of the Ag Committee. COLLIN PETERSON is an honorable man, and when he makes commitments, I think he intends fully to make those commitments.

I think we're under a circumstance where he was not allowed to make a commitment that, were it his decision

alone, that we would have a resolution of this issue that would be satisfactory I think across the spectrum.

I'm a CPA, as is my good colleague from Minnesota, my chairman. One of the things you look for as an auditor in financial statements is consistent application of accounting rules.

I want to congratulate this Rules Committee on consistently applying their position of having closed rules on everything of importance that comes down here. It's as if every bill that comes out of the Speaker's office is perfect, and I would argue that no one in their right mind thinks every bill that passes this House, whether it's a Republican bill or a Democrat bill, is perfect.

There should be the opportunity to say here's an area in a bill that needs further work. I don't think anybody on the other side of this aisle would say this is the perfect fix to the commodities futures market; it's the perfect fix to make sure that the only thing going on in these futures markets is price discovery, and once this is passed and signed by the President we will never have another problem with it. I don't think anybody's arguing that.

So it's twisted, in my view, to say on the one hand, well, it's not a perfect bill and it could be improved, there could be some issues be addressed, and one I'd like to talk about in a second. And yet this Rules Committee, dominated by the Speaker I believe, Madam Speaker, is consistently applying the closed rule concept that prevents other voices, whether they're Republican or Democrat, to come to this floor and say I might have a little bit better idea or better take on something, the will of the House will happen, but let my voice be heard.

The process yesterday on this bill that came forth was anything but open. It was very quick. They've not laid a predicate for why it needs to be instantly done today, why we couldn't have been allowed an opportunity to present a motion that would have said we need hedgers in the markets, in this commodity futures trading arena, in order to make this thing work.

One of the risks of this bill is that it will exclude traditional hedging operators from being able to provide hedging services to small businesses. Putting these hedge positions in place, if you're a long commodity, is expensive, and you need size and volume to get the transaction costs down. So there's an arena of folks in the market who provide these services on behalf of folks who need to hedge. I think this bill overreaches in its attempt to make sure we don't have undue speculation in the market.

That's simply what I'm trying to do, and I've got I think a commitment from the chairman to work on this. I visited with him last night, and I believe he is sincere when he said he wanted to keep this commitment that he and I made on this floor back in the end of July to address this issue.

This isn't a Republican or Democrat issue. This is an issue that we all should be able to have an independent view on.

The previous speaker mentioned the fact that I voted for the bill, and she's absolutely correct. But I voted for the bill because I made a commitment. I made a commitment with my chairman that said, Madam Speaker, if you will work with me on this, then I will vote for this bill. And so I put my green vote up that afternoon, and I can assure you I had no shortage of the 151 Republicans who voted against this bill come to me and say, CONAWAY, have you lost your mind? What are you doing? This is not a normal position that you would take. And I said, Well, I made a commitment to the chairman that I would support working forward in this bill as it moved through the process, either through a conference report or whatever, to address the issues that I'm concerned about, and I committed to him that I was going to vote for it. I kept my commitment.

And I don't think the chairman was allowed to keep the commitment he made back to me, and that's an unfortunate circumstance, because we only have our word in this arena, and I believe he kept his word as best he could, but I don't think the Speaker and the dominated Rules Committee allowed him to do something that he should have been able to do and I should have been able to make an amendment here to say here's what I think is going on, have the discussion, have the folks who disagree with me come down here and talk about that. That's the way the system is supposed to work. Certainly the way that every high school civics class in the world would argue that the way this floor works is you have an idea and you have folks for it and folks against it and you come down here and challenge it.

This closed rule one more time, consistently applied by this dominated Rules Committee, is wrong. It's just not the way to do it. There is no immediate urgency that we've got to get this passed today or tomorrow. It could have come on the agenda tomorrow, and we would have had time to bring this amendment down here.

I urge my colleagues to vote against this rule and against this bill. The process is flawed. It does nothing to support energy production in this country, nor will it work.

Ms. SUTTON. Madam Speaker, I would inquire of the gentleman from Texas if he has any additional speakers.

Mr. SESSIONS. I would like to advise the gentlewoman that I do have an additional speaker.

Ms. SUTTON. Then I will reserve my time. I'm the last speaker on this side. I will reserve my time.

Mr. SESSIONS. Madam Speaker, last night on the floor of the House of Representatives, the gentleman, ZACH WAMP, came down to make a thoughtful argument about the predicament

that this country is in with not having enough energy available at the gas pumps and that that has caused prices to rise very dramatically and that there really is an answer and something that can be done. I'm pleased to welcome the gentleman from Tennessee (Mr. WAMP), and I'd like to extend him 4 minutes.

Mr. WAMP. I thank the gentleman.

I voted for this bill when it came to the floor earlier. I'm likely to vote for it again today. I'm concerned about speculation. I'm also concerned about price gouging in east Tennessee. Monday following Ike, gas was \$4.99 a gallon. Over 500 complaints were filed with our State and the regulators there over price gouging allegations. I'm concerned about these issues as well.

But I've got to tell you, I'm a little puzzled why the quick rush to get to the floor on this bill again this week, less than 36 hours from the time that we saw an unbelievable event happen on the floor this week. And I'm not one in the last 14 years here to complain or to blame, but I've got to tell you what happened here was they convinced Members of their own party to vote against a bill that they had cosponsored to bring new oil and gas supplies on to our country in order to defeat any reasonable new capacity energy bill and immediately then went to change the subject, refocus the debate on speculation instead of oil and gas supplies, which will bring down prices.

It's frankly a diversion, it's a distraction, and I would have to wonder if it's intentional, listening to the rule debate over how this whole process came about. That's what I wonder is exactly what caused the rush to the floor. Was it AIG, so you want to focus back on the markets and Wall Street and speculation and these kind of issues? Or was it quickly change the subject away from the very unfortunate, very watered down, weak energy alternative that they jammed through the House without a lot of debate—well, there were 3 hours of debate—but without amendments, without alternatives, except for the one bipartisan bill that they then encouraged dozens of their own Members to vote against even though they were cosponsors and bragged about having written that bill?

Now that's wrong. That's wrong, and I come here today to say it and wonder just exactly why this has come up this quick again on the floor, change the subject and get out of town. I think that's what's going on. The American people shouldn't like it. They should demand better. We can do better.

We should be here debating. If you want to debate something in the markets in speculation today, how about the accounting rules that caused the AIG bailout? Maybe we could bring that up real quick so we can address some of these problems. That ought to be debated today instead of speculation, so you can change the subject away from oil and gas supplies because you really let the American people

down this week on the floor of the House.

Nothing's going to happen in terms of bringing down the cost of oil and gas before the election, and it could have.

Mr. SESSIONS. Madam Speaker, I thank the gentleman from Tennessee for his thoughtful comments.

Madam Speaker, since taking control of this House, this Democrat Congress has totally neglected its responsibility to address the domestic supply issues that have created skyrocketing gas, diesel, and energy costs the American families are facing. We heard the gentleman, Mr. WAMP, talk about how there were good ideas that should have been available, including a bipartisan working group and bipartisan legislation that, when it really came down to it, somebody put pressure on a whole bunch of our friends in the Democrat Party to then vote against even their own bill so that it was not bipartisan.

By going on vacation for 5 weeks over August, while I and 138 other of my Republican colleagues stayed in this body on this floor to talk about real energy solutions with American families, this Democrat majority has proved that they do not believe that the energy crisis facing American families and businesses is important enough to cancel their summer beach plans or book tours. They claimed they were going to come back and do something about it. However, enough of their Members must have heard from frustrated constituents over August who were tired of this shell game that the Democrat political leadership is pushing off on the American people.

We would think that it should warrant some kind of action. Because today we are considering yet another measure to provide their Members with political cover, we're going to see that there will be nothing that will be done. Even their own chairman of the committee said this isn't going to become law. It's not going to pass. We didn't even really know it was going to come up. No notice was given to Republicans till 3 hours before it was going to come to the Rules Committee, and perhaps worse than that, then people said, and Republicans didn't even present any amendments.

So today I urge my colleagues to vote with me to defeat the previous question. If the previous question is defeated, I will move to amend the rule to allow this House so that we can take up the measure that prevents Members from going home to campaign for reelection without actually passing an energy bill that will be signed into law.

Madam Speaker, we should do better. We should allow States to expand the exploration and extraction of natural resources along the Outer Continental Shelf. We should open the Arctic National Wildlife Refuge and oil shale reserves in this country, and we can do it in environmentally sensitive and prudent ways. We should extend expiring renewable energy incentives. We should encourage the streamlined ap-

proval of new refining capacity and nuclear power facilities. My gosh, if France can have 82 percent of their power from nuclear, why can't the United States get above where we are?

We should encourage advanced research and development of clean coal, coal-to-liquid, and carbon technologies, and perhaps more importantly, which is the sham about the entire Democrat leadership's bill is, we should do something about stopping the lawsuits which are creating a circumstance in courts to where none of these leases are able to move forward for production because they're in lawsuits, and the Democrat leadership did not even address this. It's simple. Consolidate and expedite the drawn-out legal challenges that unreasonably delay or prevent actual domestic energy production.

Why wouldn't we want, if we're going to pass this bill, to make sure that it would happen, when in fact every Member of this body knows that for every single, 100 percent, of all the leases that have been agreed to are wrapped up in court right now, in Federal court right now. Why not do something that would give relief to the American people? Why not say let's at least one of these opportunities take place for drilling, just one? How about 10 percent? No, it's got to be 100 percent, and the American people are going to learn what the Democrat Party already knows, and that is, that the Democrat leadership does not want any drilling. They want no drilling.

Senator OBAMA, I'm sure was correct. He is opposed to drilling so that America can be competitive with the world.

□ 1145

This requirement would finally force the Democrat leadership to take meaningful action.

If we were going to get what I just talked about, that would mean somebody who's in control of both Houses of Congress wanting to do something. And we stand here today, the Republican Party, once again, as we did all of August, asking for us to do something that will work to bring relief. It's a supply side issue.

So, Madam Speaker, here we go. A shell game, a Rules Committee that allows no good ideas—except their own that the Democrat leadership has; agreements, which were talked about on the floor, which, when it really came down to it, not sure we really want to live up to at all. There is always a bigger problem. Well, that's not what this floor of the House is for, that's not really what the Rules Committee is for. That's not what Congress is for. Congress should be about, especially in a crisis, coming to an agreement and working together.

I think we can do better. I think it's going to be something that the American people are going to have to decide what the tie is between Republicans and Democrats. I guess it's going to come to an election, where the Amer-

ican people are going to be told the facts of the case, and they will see what kind of action is necessary in Washington, D.C.

Madam Speaker, the Republican Party is again on giving the American people and this body notice that the Republican Party is for us doing the things which will bring down the price of energy, which will create long-term economic stimulus and opportunity for this country. Because we recognize that energy prices are too high and it impacts every sector of our economy—trucking, the food that's made, produced, the food that gets to market-place, the opportunities for school systems to operate within their budget, the chance for American families who have to go to their job, many times who have to commute.

We need real action, not a slam-dunk Rules Committee that will set a record every time they go to meet for a new closed rule, not offering new ideas, not listening to the American people about the ability that we need to have to bring to bear American energy products. Instead, we get the same worn-out message of what's happened over the last 2 years where America has lost 14 percent more of market shares, where we have to go overseas to those countries that will produce and will drill.

The American people look up and find out now that this Congress says no, no drilling in Florida, and so other countries will come off our shores and take our energy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SESSIONS. I ask unanimous consent to insert the text of the amendment and extraneous material into the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Ms. SUTTON. Madam Speaker, this is a good bill. The Republican Party and my good friend from Texas, they had 12 years to put forward a comprehensive energy policy for the future, and they failed to do so. And for 12 years, they had the opportunity to provide accountability and oversight in our commodities market, and they failed to do so.

Earlier this week, we took steps to pass a comprehensive energy bill that's going to lower prices for consumers, protect taxpayers, expand responsible offshore domestic drilling, expand renewable sources of energy, increase our security by freeing America from the grip of foreign oil, and require Big Oil to pay what it owes to America's taxpayers. And we're going to create good-paying jobs as we move forward on this forward-thinking energy policy.

Today, Madam Speaker, we pass an equally important measure. All of those out there who have been held hostage by the greed of some of our speculators who treat our commodities

as a safety net, well, the party is over. This bill will strengthen the CFTC's enforcement resources. In recent days, trading volume has increased 8,000 percent since the CFTC was created, but the agency is operating at its lowest staffing level since 1974. This bill calls for a minimum of 100 full-time CFTC employees to enforce manipulation and fraud regulation.

Madam Speaker, this bill is about protecting and strengthening the economy for the people in Ohio and across America, not a select few on Wall Street and abroad. It's time that we get it done. It's about ensuring that the loopholes are closed to prevent another historic run-up in the price of oil. It's about providing the tools and having the political will to prevent potential price distortions caused by excessive speculative trading.

Madam Speaker, this bill was passed by the Agriculture Committee by a voice vote in a bipartisan manner in July. So no matter what we hear from those who may oppose what we are trying to do, we need to pass this bill. It's the right thing to do for our country, it's the right thing to do for our constituents.

I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1449 OFFERED BY MR.  
SESSIONS OF TEXAS

At the end of the resolution add the following new section:

SEC. 3. It shall not be in order in the House to consider a concurrent resolution providing for an adjournment of either House of Congress until comprehensive energy legislation has been enacted into law that includes provisions designed to—

(A) allow states to expand the exploration and extraction of natural resources along the Outer Continental Shelf;

(B) open the Arctic National Wildlife Refuge and oil shale reserves to environmentally prudent exploration and extraction;

(C) extend expiring renewable energy incentives;

(D) encourage the streamlined approval of new refining capacity and nuclear power facilities;

(E) encourage advanced research and development of clean coal, coal-to-liquid, and carbon sequestration technologies; and

(F) minimize drawn out legal challenges that unreasonably delay or prevent actual domestic energy production.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the

consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SUTTON. Madam Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 224, nays 187, not voting 22, as follows:

[Roll No. 605]

YEAS—224

Abercrombie	Green, Gene	Pallone
Ackerman	Gutierrez	Pascarell
Allen	Hall (NY)	Pastor
Altmire	Hare	Payne
Andrews	Harman	Perlmutter
Arcuri	Herseth Sandlin	Peterson (MN)
Baca	Higgins	Pomeroy
Baird	Hinchey	Price (NC)
Baldwin	Hinojosa	Rahall
Barrow	Hirono	Rangel
Becerra	Hodes	Reichert
Berkley	Holden	Reyes
Berman	Holt	Richardson
Berry	Honda	Rodriguez
Bishop (GA)	Hookey	Ros-Lehtinen
Bishop (NY)	Hoyer	Ross
Blumenauer	Inslie	Rothman
Boren	Israel	Roybal-Allard
Boswell	Jackson (IL)	Ruppersberger
Boyd (FL)	Jefferson	Rush
Boyda (KS)	Johnson (GA)	Ryan (OH)
Brady (PA)	Johnson (IL)	Salazar
Braley (IA)	Johnson, E. B.	Sánchez, Linda
Butterfield	Kagen	T.
Capps	Kanjorski	Sanchez, Loretta
Cardoza	Kaptur	Sarbanes
Carnahan	Kennedy	Schakowsky
Carney	Kildee	Schiff
Carson	Kilpatrick	Schwartz
Castor	Kind	Scott (GA)
Chandler	Klein (FL)	Scott (VA)
Childers	Kucinich	Serrano
Clarke	Langevin	Sestak
Clay	Larsen (WA)	Shea-Porter
Cleaver	Larson (CT)	Sherman
Clyburn	Lee	Shuler
Cohen	Levin	Sires
Cooper	Lewis (GA)	Skelton
Costa	Lipinski	Slaughter
Costello	Loebach	Smith (WA)
Courtney	Lofgren, Zoe	Snyder
Cramer	Lowey	Solis
Crowley	Lynch	Space
Cuellar	Mahoney (FL)	Speier
Cummings	Maloney (NY)	Spratt
Davis (AL)	Markey	Stark
Davis (CA)	Marshall	Stupak
Davis (IL)	Matheson	Sutton
Davis, Lincoln	Matsui	Tanner
DeFazio	McCarthy (NY)	Tauscher
DeGette	McCollum (MN)	Taylor
Delahunt	McDermott	Thompson (CA)
DeLauro	McGovern	Thompson (MS)
Dicks	McIntyre	Tierney
Dingell	McNerney	Towns
Doggett	McNulty	Tsongas
Donnelly	Meek (FL)	Udall (NM)
Doyle	Meeks (NY)	Van Hollen
Edwards (MD)	Melancon	Velázquez
Edwards (TX)	Michaud	Visclosky
Ellison	Miller (NC)	Walz (MN)
Ellsworth	Miller, George	Wasserman
Emanuel	Mitchell	Schultz
Engel	Mollohan	Waters
Eshoo	Moore (KS)	Watson
Etheridge	Moore (WI)	Watt
Farr	Murphy (CT)	Waxman
Fattah	Murphy, Patrick	Weiner
Filner	Murtha	Welch (VT)
Foster	Nadler	Wexler
Frank (MA)	Napolitano	Wilson (OH)
Giffords	Neal (MA)	Woolsey
Gillibrand	Oberstar	Wu
Gonzalez	Obey	Yarmuth
Gordon	Oliver	
Green, Al	Ortiz	

NAYS—187

Aderholt	Boozman	Chabot
Akin	Boustany	Coble
Alexander	Broun (GA)	Cole (OK)
Bachmann	Brown (SC)	Conaway
Bachus	Brown-Waite,	Crenshaw
Barrett (SC)	Ginny	Culberson
Bartlett (MD)	Buchanan	Davis (KY)
Barton (TX)	Burton (IN)	Davis, David
Bean	Buyer	Davis, Tom
Biggert	Calvert	Deal (GA)
Bilbray	Camp (MI)	Dent
Bilirakis	Campbell (CA)	Diaz-Balart, L.
Bishop (UT)	Cannon	Diaz-Balart, M.
Blackburn	Cantor	Doolittle
Blunt	Capito	Drake
Boehner	Carter	Duncan
Bonner	Castle	Ehlers
Bono Mack	Cazayoux	Emerson



English (PA) LaTourette  
 Everett Latta  
 Fallon Lewis (CA)  
 Feeney Lewis (KY)  
 Ferguson Linder  
 Flake LoBiondo  
 Forbes Lucas  
 Fortenberry Lungren, Daniel  
 Fossella E.  
 Foxx Mack  
 Franks (AZ) Manzullo  
 Frelinghuysen Marchant  
 Gallegly McCarthy (CA)  
 Garrett (NJ) McCaul (TX)  
 Gerlach McCotter  
 Gilchrest McCrery  
 Gingrey McHenry  
 Gohmert McHugh  
 Goode McKeon  
 Goodlatte McMorris  
 Granger Rodgers  
 Graves Mica  
 Hall (TX) Miller (FL)  
 Hastings (WA) Miller (MI)  
 Hayes Miller, Gary  
 Heller Moran (KS)  
 Hensarling Murphy, Tim  
 Herger Musgrave  
 Hill Myrick  
 Hobson Neugebauer  
 Hoekstra Nunes  
 Hunter Paul  
 Inglis (SC) Pearce  
 Johnson, Sam Peterson (PA)  
 Jones (NC) Petri  
 Jordan Pickering  
 Keller Platts  
 King (IA) Porter  
 Kingston Price (GA)  
 Kirk Pryce (OH)  
 Kline (MN) Putnam  
 Knollenberg Radanovich  
 Kuhl (NY) Ramstad  
 LaHood Regula  
 Lamborn Rehberg  
 Latham Reynolds

Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Roskam  
 Royce  
 Ryan (WI)  
 Sali  
 Saxton  
 Scalise  
 Schmidt  
 Sensenbrenner  
 Sessions  
 Shadegg  
 Shays  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Stearns  
 Sullivan  
 Tancredo  
 Terry  
 Thornberry  
 Tiahrt  
 Tiberi  
 Turner  
 Upton  
 Walberg  
 Walden (OR)  
 Walsh (NY)  
 Wamp  
 Weldon (FL)  
 Weller  
 Westmoreland  
 Whitfield (KY)  
 Wilson (NM)  
 Wilson (SC)  
 Wittman (VA)  
 Wolf  
 Young (AK)  
 Young (FL)

Carnahan  
 Carney  
 Carson  
 Castor  
 Chandler  
 Childers  
 Clarke  
 Clay  
 Clyburn  
 Cohen  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Cramer  
 Crowley  
 Cuellar  
 Cummings  
 Davis (AL)  
 Davis (CA)  
 Davis (IL)  
 Davis, Lincoln  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 Dicks  
 Dingell  
 Doggett  
 Donnelly  
 Doyle  
 Edwards (MD)  
 Edwards (TX)  
 Ellison  
 Ellsworth  
 Emanuel  
 Engel  
 Eshoo  
 Etheridge  
 Farr  
 Fattah  
 Finer  
 Foster  
 Frank (MA)  
 Giffords  
 Gillibrand  
 Gonzalez  
 Gordon  
 Green, Al  
 Green, Gene  
 Gutierrez  
 Hall (NY)  
 Hare  
 Harman  
 Herseeth Sandlin  
 Higgins  
 Hinchey  
 Hinojosa  
 Hirono  
 Hodes  
 Holden  
 Hoit  
 Honda  
 Hooley  
 Hoyer

Price (NC)  
 Rahall  
 Reyes  
 Richardson  
 Rodriguez  
 Ross  
 Rothman  
 Roybal-Allard  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Salazar  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Serrano  
 Sestak  
 Shea-Porter  
 Sherman  
 Shuler  
 Sires  
 Skelton  
 Slaughter  
 Smith (WA)  
 Snyder  
 Solis  
 Space  
 Speier  
 Spratt  
 Stark  
 Stupak  
 Sutton  
 Tanner  
 Tauscher  
 Taylor  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Towns  
 Tsongas  
 Udall (NM)  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Welch (VT)  
 Wexler  
 Wilson (OH)  
 Wu  
 Yarmuth

Shadegg  
 Shays  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Stearns  
 Sullivan  
 Tancredo  
 Terry  
 Thornberry  
 Tiahrt  
 Tiberi  
 Turner  
 Upton  
 Walberg  
 Walden (OR)  
 Walsh (NY)  
 Wamp  
 Weldon (FL)  
 Weller  
 Westmoreland  
 Whitfield (KY)  
 Wilson (NM)  
 Wilson (SC)  
 Wittman (VA)  
 Wolf  
 Young (AK)  
 Young (FL)

## NOT VOTING—22

Boucher  
 Brady (TX)  
 Brown, Corrine  
 Burgess  
 Capuano  
 Conyers  
 Cubin  
 Dreier

Grijalva  
 Hastings (FL)  
 Hulshof  
 Issa  
 Jackson-Lee  
 (TX)  
 King (NY)  
 Lampson

Moran (VA)  
 Pence  
 Pitts  
 Poe  
 Renzi  
 Souder  
 Udall (CO)

## □ 1214

Messrs. MACK and SCALISE changed their vote from “yea” to “nay.”

Ms. ESHOO and Ms. CLARKE changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PAS-TOR). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 190, not voting 25, as follows:

[Roll No. 606]

AYES—218

Abercrombie  
 Ackerman  
 Allen  
 Altmire  
 Andrews  
 Arcuri  
 Baca  
 Baird  
 Baldwin

Barrow  
 Becerra  
 Berkley  
 Berman  
 Berry  
 Bishop (GA)  
 Bishop (NY)  
 Blumenauer  
 Boren

Boswell  
 Boucher  
 Boyd (FL)  
 Boyda (KS)  
 Brady (PA)  
 Braley (IA)  
 Butterfield  
 Capps  
 Cardoza

Aderholt  
 Akin  
 Alexander  
 Bachmann  
 Barrett (SC)  
 Bartlett (MD)  
 Barton (TX)  
 Bean  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (UT)  
 Blackburn  
 Blunt  
 Boehner  
 Bonner  
 Bono Mack  
 Boozman  
 Boustany  
 Broun (GA)  
 Brown (SC)  
 Brown-Waite,  
 Ginny  
 Buchanan  
 Burton (IN)  
 Buyer  
 Calvert  
 Camp (MI)  
 Campbell (CA)  
 Cannon  
 Cantor  
 Capito

## NOES—190

Carter  
 Castle  
 Cazayoux  
 Chabot  
 Coble  
 Cole (OK)  
 Conaway  
 Crenshaw  
 Culberson  
 Davis (KY)  
 Davis, David  
 Davis, Tom  
 Deal (GA)  
 Dent  
 Diaz-Balart, L.  
 Diaz-Balart, M.  
 Doolittle  
 Drake  
 Duncan  
 Ehlers  
 Emerson  
 English (PA)  
 Everett  
 Fallon  
 Feeney  
 Ferguson  
 Flake  
 Forbes  
 Fortenberry  
 Fossella  
 Foxx  
 Franks (AZ)

Frelinghuysen  
 Gallegly  
 Garrett (NJ)  
 Gerlach  
 Gilchrest  
 Gingrey  
 Gohmert  
 Goode  
 Goodlatte  
 Granger  
 Graves  
 Hall (TX)  
 Hastings (WA)  
 Hayes  
 Heller  
 Hensarling  
 Herger  
 Hill  
 Hobson  
 Hoekstra  
 Hunter  
 Inglis (SC)  
 Johnson (IL)  
 Johnson, Sam  
 Jones (NC)  
 Jordan  
 Keller  
 King (IA)  
 Kingston  
 Kirk  
 Kline (MN)  
 Knollenberg

## NOT VOTING—25

Bachus  
 Brady (TX)  
 Brown, Corrine  
 Burgess  
 Capuano  
 Cleaver  
 Conyers  
 Cubin  
 Dreier

Grijalva  
 Hastings (FL)  
 Hulshof  
 Issa  
 Jackson-Lee  
 (TX)  
 King (NY)  
 Lampson  
 Moran (VA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

## □ 1223

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# COMMODITY MARKETS TRANSPARENCY AND ACCOUNTABILITY ACT OF 2008

Mr. PETERSON of Minnesota. Mr. Speaker, pursuant to House Resolution 1449, I call up the bill (H.R. 6604) to amend the Commodity Exchange Act to bring greater transparency and accountability to commodity markets, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

## H.R. 6604

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Commodity Markets Transparency and Accountability Act of 2008”.

## SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definition of energy commodity.
- Sec. 4. Speculative limits and transparency of off-shore trading.
- Sec. 5. Disaggregation of index funds and other data in energy and agriculture markets.

- Sec. 6. Detailed reporting from index traders and swap dealers.
- Sec. 7. Transparency and recordkeeping authorities.
- Sec. 8. Trading limits to prevent excessive speculation.
- Sec. 9. Modifications to core principles applicable to position limits for contracts in agricultural and energy commodities.
- Sec. 10. CFTC Administration.
- Sec. 11. Review of prior actions.
- Sec. 12. Review of over-the-counter markets.
- Sec. 13. Studies; reports.
- Sec. 14. Over-the-counter authority.
- Sec. 15. Expedited process.

### SEC. 3. DEFINITION OF ENERGY COMMODITY.

(a) DEFINITION OF ENERGY COMMODITY.—Section 1a of the Commodity Exchange Act (7 U.S.C. 1a) is amended—

(1) by redesignating paragraphs (13) through (34) as paragraphs (14) through (35), respectively; and

(2) by inserting after paragraph (12) the following:

“(13) ENERGY COMMODITY.—The term ‘energy commodity’ means—

- “(A) coal;
- “(B) crude oil, gasoline, diesel fuel, jet fuel, heating oil, and propane;
- “(C) electricity;
- “(D) natural gas; and
- “(E) any other substance that is used as a source of energy, as the Commission, in its discretion, deems appropriate.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 2(c)(2)(B)(i)(II)(cc) of the Commodity Exchange Act (7 U.S.C. 2(c)(2)(B)(i)(II)(cc)) is amended—

(A) in subitem (AA), by striking “section 1a(20)” and inserting “section 1a(21)”; and

(B) in subitem (BB), by striking “section 1a(20)” and inserting “section 1a(21)”.

(2) Section 13106(b)(1) of the Food, Conservation, and Energy Act of 2008 is amended by striking “section 1a(32)” and inserting “section 1a”.

(3) Section 402 of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27) is amended—

(A) in subsection (a)(7), by striking “section 1a(20)” and inserting “section 1a”; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by striking “section 1a(33)” and inserting “section 1a”; and

(ii) in paragraph (2)(D), by striking “section 1a(13)” and inserting “section 1a”.

### SEC. 4. SPECULATIVE LIMITS AND TRANSPARENCY OF OFF-SHORE TRADING.

(a) IN GENERAL.—Section 4 of the Commodity Exchange Act (7 U.S.C. 6) is amended by adding at the end the following:

“(e) FOREIGN BOARDS OF TRADE.—

“(1) IN GENERAL.—The Commission may not permit a foreign board of trade to provide to the members of the foreign board of trade or other participants located in the United States direct access to the electronic trading and order matching system of the foreign board of trade with respect to an agreement, contract, or transaction in an energy or agricultural commodity that settles against any price (including the daily or final settlement price) of 1 or more contracts listed for trading on a registered entity, unless—

“(A) the foreign board of trade makes public daily trading information regarding the agreement, contract, or transaction that is comparable to the daily trading information published by the registered entity for the 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles; and

“(B) the foreign board of trade (or the foreign futures authority that oversees the foreign board of trade)—

“(i) adopts position limits (including related hedge exemption provisions) for the agreement, contract, or transaction that are comparable, taking into consideration the relative sizes of the respective markets, to the position limits (including related hedge exemption provisions) adopted by the registered entity for the 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles;

“(ii) has the authority to require or direct market participants to limit, reduce, or liquidate any position the foreign board of trade (or the foreign futures authority that oversees the foreign board of trade) determines to be necessary to prevent or reduce the threat of price manipulation, excessive speculation as described in section 4a, price distortion, or disruption of delivery or the cash settlement process;

“(iii) agrees to promptly notify the Commission of any change regarding—

“(I) the information that the foreign board of trade will make publicly available;

“(II) the position limits that the foreign board of trade or foreign futures authority will adopt and enforce;

“(III) the position reductions required to prevent manipulation, excessive speculation as described in section 4a, price distortion, or disruption of delivery or the cash settlement process; and

“(IV) any other area of interest expressed by the Commission to the foreign board of trade or foreign futures authority;

“(iv) provides information to the Commission regarding large trader positions in the agreement, contract, or transaction that is comparable to the large trader position information collected by the Commission for the 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles; and

“(v) provides the Commission with information necessary to publish reports on aggregate trader positions for the agreement, contract, or transaction traded on the foreign board of trade that are comparable to such reports for 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles.

“(2) EXISTING FOREIGN BOARDS OF TRADE.—Paragraph (1) shall not be effective with respect to any agreement, contract, or transaction in an energy commodity executed on a foreign board of trade to which the Commission had granted direct access permission before the date of the enactment of this subsection until the date that is 180 days after such date of enactment.”.

(b) LIABILITY OF REGISTERED PERSONS TRADING ON A FOREIGN BOARD OF TRADE.—

(1) Section 4(a) of such Act (7 U.S.C. 6(a)) is amended by inserting “or by subsection (f)” after “Unless exempted by the Commission pursuant to subsection (c)”.

(2) Section 4 of such Act (7 U.S.C. 6) is further amended by adding at the end the following:

“(f) A person registered with the Commission, or exempt from registration by the Commission, under this Act may not be found to have violated subsection (a) with respect to a transaction in, or in connection with, a contract of sale of a commodity for future delivery if the person has reason to believe the transaction and the contract is made on or subject to the rules of a board of trade that is legally organized under the laws of a foreign country, authorized to act as a board of trade by a foreign futures authority, subject to regulation by the foreign futures authority, and has not been determined by the Commission to be operating in violation of subsection (a).”.

(c) CONTRACT ENFORCEMENT FOR FOREIGN FUTURES CONTRACTS.—Section 22(a) of such Act (7 U.S.C. 25(a)) is amended by adding at the end the following:

“(5) A contract of sale of a commodity for future delivery traded or executed on or through the facilities of a board of trade, exchange, or market located outside the United States for purposes of section 4(a) shall not be void, voidable, or unenforceable, and a party to such a contract shall not be entitled to rescind or recover any payment made with respect to the contract, based on the failure of the foreign board of trade to comply with any provision of this Act.”.

### SEC. 5. DISAGGREGATION OF INDEX FUNDS AND OTHER DATA IN ENERGY AND AGRICULTURE MARKETS.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6), as amended by section 4 of this Act, is amended by adding at the end the following:

“(g) DISAGGREGATION OF INDEX FUNDS AND OTHER DATA IN ENERGY AND AGRICULTURE MARKETS.—Subject to section 8 and beginning within 30 days of the issuance of the final rule required by section 4h, the Commission shall disaggregate and make public weekly—

“(1) the number of positions and total value of index funds and other passive, long-only and short-only positions (as defined by the Commission) in all energy and agricultural markets to the extent such information is available; and

“(2) data on speculative positions relative to bona fide physical hedgers in those markets to the extent such information is available.”.

### SEC. 6. DETAILED REPORTING FROM INDEX TRADERS AND SWAP DEALERS.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6), as amended by sections 4 and 5 of this Act, is amended by adding at the end the following:

“(h) INDEX TRADERS AND SWAP DEALERS REPORTING.—The Commission shall issue a proposed rule defining and classifying index traders and swap dealers (as those terms are defined by the Commission) for purposes of data reporting requirements and setting routine detailed reporting requirements for such entities in designated contract markets, derivatives transaction execution facilities, foreign boards of trade subject to section 4(e), and electronic trading facilities with respect to significant price discovery contracts with respect to exempt and agricultural commodities not later than 60 days after the date of the enactment of this subsection, and issue a final rule within 120 days after such date of enactment.”.

### SEC. 7. TRANSPARENCY AND RECORDKEEPING AUTHORITIES.

(a) IN GENERAL.—Section 4g(a) of the Commodity Exchange Act (7 U.S.C. 6g(a)) is amended—

(1) by inserting “a” before “futures commission merchant”; and

(2) by inserting “and transactions and positions traded pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation or order,” after “United States or elsewhere.”.

(b) REPORTS OF DEALS EQUAL TO OR IN EXCESS OF TRADING LIMITS.—Section 4i of such Act (7 U.S.C. 6i) is amended—

(1) in the first sentence—

(A) by inserting “(a)” before “It shall”; and

(B) by inserting “in the United States or elsewhere, and of transactions and positions in any such commodity entered into pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation or order” before “, and of cash or spot”; and

(2) by striking all that follows the 1st sentence and inserting the following:

“(b) With respect to agricultural and energy commodities, upon special call by the Commission, any person shall provide to the Commission, in a form and manner and within the period specified in the special call, books and records of all transactions and positions traded on or subject to the rules of any board of trade or electronic trading facility in the United States or elsewhere, or pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation, or order, as the Commission may determine appropriate to deter and prevent price manipulation or any other disruption to market integrity or to diminish, eliminate, or prevent excessive speculation as described in section 4a(a).

“(c) Such books and records described in subsections (a) and (b) shall show complete details concerning all such transactions, positions, inventories, and commitments, including the names and addresses of all persons having any interest therein, shall be kept for a period of 5 years, and shall be open at all times to inspection by any representative of the Commission or the Department of Justice. For the purposes of this section, the futures and cash or spot transactions and positions of any person shall include such transactions and positions of any persons directly or indirectly controlled by the person.”

(c) CONFORMING AMENDMENTS.—

(1) Section 2(g) of such Act (7 U.S.C. 2(g)) is amended—

(A) by inserting “4g(a), 4i,” before “5a (to); and

(B) by inserting “, and the regulations of the Commission pursuant to section 4c(b) requiring reporting in connection with commodity option transactions,” before “shall apply”.

(2) Section 2(h)(2)(A) of such Act (7 U.S.C. 2(h)(2)(A)) is amended to read as follows:

“(A) sections 4g(a), 4i, 5b and 12(e)(2)(B), and the regulations of the Commission pursuant to section 4c(b) requiring reporting in connection with commodity option transactions.”

#### SEC. 8. TRADING LIMITS TO PREVENT EXCESSIVE SPECULATION.

Section 4a of the Commodity Exchange Act (7 U.S.C. 6a) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” after “(a)”; and

(B) by adding after and below the end the following:

“(2) In accordance with the standards set forth in paragraph (1) of this subsection and consistent with the good faith exception cited in subsection (b)(2), with respect to agricultural commodities enumerated in section 1a(4) and energy commodities, the Commission, within 60 days after the date of the enactment of this paragraph, shall by rule, regulation, or order establish limits on the amount of positions that may be held by any person with respect to contracts of sale for future delivery or with respect to options on such contracts or commodities traded on or subject to the rules of a contract market or derivatives transaction execution facility, or on an electronic trading facility as a significant price discovery contract.

“(3) In establishing the limits required in paragraph (2), the Commission shall set limits—

“(A) on the number of positions that may be held by any person for the spot month, each other month, and the aggregate number of positions that may be held by any person for all months;

“(B) to the maximum extent practicable, in its discretion—

“(i) to diminish, eliminate, or prevent excessive speculation as described under this section;

“(ii) to deter and prevent market manipulation, squeezes, and corners;

“(iii) to ensure sufficient market liquidity for bona fide hedgers; and

“(iv) to ensure that the price discovery function of the underlying market is not disrupted; and

“(C) to the maximum extent practicable, in its discretion, take into account the total number of positions in fungible agreements, contracts, or transactions that a person can hold in agricultural and energy commodities in other markets.

“(4)(A) Not later than 150 days after the date of the enactment of this paragraph, the Commission shall convene a Position Limit Agricultural Advisory Group and a Position Limit Energy Group, each group consisting of representatives from—

“(i) 5 predominantly commercial short hedgers of the actual physical commodity for future delivery;

“(ii) 5 predominantly commercial long hedgers of the actual physical commodity for future delivery;

“(iii) 4 non-commercial participants in markets for commodities for future delivery; and

“(iv) each designated contract market or derivatives transaction execution facility upon which a contract in the commodity for future delivery is traded, and each electronic trading facility that has a significant price discovery contract in the commodity.

“(B) Not later than 60 days after the date on which the advisory groups are convened under subparagraph (A), and annually thereafter, the advisory groups shall submit to the Commission advisory recommendations regarding the position limits to be established in paragraph (2) and a recommendation as to whether the position limits should be administered directly by the Commission, or by the registered entity on which the commodity is listed (with enforcement by both the registered entity and the Commission).”; and

(2) in subsection (c)—

(A) by inserting “(1)” after “(c)”; and

(B) by adding after and below the end the following:

“(2) With respect to agricultural and energy commodities, for the purposes of contracts of sale for future delivery and options on such contracts or commodities, a bona fide hedging transaction or position is a transaction or position that—

“(A)(i) represents a substitute for transactions to be made or positions to be taken at a later time in a physical marketing channel;

“(ii) is economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise; and

“(iii) arises from the potential change in the value of—

“(I) assets that a person owns, produces, manufactures, processes, or merchandises or anticipates owning, producing, manufacturing, processing, or merchandising;

“(II) liabilities that a person owns or anticipates incurring; or

“(III) services that a person provides, purchases, or anticipates providing or purchasing; or

“(B) reduces risks attendant to a position resulting from a transaction that—

“(i) was executed pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or an exemption issued by the Commission by rule, regulation or order; and

“(ii) was executed opposite a counterparty for which the transaction would qualify as a bona fide hedging transaction pursuant to paragraph (2)(A) of this subsection.”.

#### SEC. 9. MODIFICATIONS TO CORE PRINCIPLES APPLICABLE TO POSITION LIMITS FOR CONTRACTS IN AGRICULTURAL AND ENERGY COMMODITIES.

(a) CONTRACTS TRADED ON CONTRACT MARKETS.—Section 5(d)(5) of the Commodity Exchange Act (7 U.S.C. 7(d)(5)) is amended by striking all that follows “adopt” and inserting “, for speculators, position limitations with respect to agricultural commodities enumerated in section 1a(4) or energy commodities, and position limitations or position accountability with respect to other commodities, where necessary and appropriate.”.

(b) CONTRACTS TRADED ON DERIVATIVES TRANSACTION EXECUTION FACILITIES.—Section 5a(d)(4) of such Act (7 U.S.C. 7a(d)(4)) is amended by striking all that follows “adopt” and inserting “, for speculators, position limitations with respect to energy commodities, and position limitations or position accountability with respect to other commodities, where necessary and appropriate for a contract, agreement or transaction with an underlying commodity that has a physically deliverable supply.”.

(c) SIGNIFICANT PRICE DISCOVERY CONTRACTS.—Section 2(h)(7)(C)(ii)(IV) of such Act (7 U.S.C. 2(h)(7)(C)(ii)(IV)) is amended by striking “where necessary” and all that follows through “in significant price discovery contracts” and inserting “for speculators, position limitations with respect to significant price discovery contracts in energy commodities, and position limitations or position accountability with respect to significant price discovery contracts in other commodities”.

#### SEC. 10. CFTC ADMINISTRATION.

(a) ADDITIONAL COMMODITY FUTURES TRADING COMMISSION EMPLOYEES FOR IMPROVED ENFORCEMENT.—Section 2(a)(7) of the Commodity Exchange Act (7 U.S.C. 2(a)(7)) is amended by adding at the end the following:

“(D) ADDITIONAL EMPLOYEES.—As soon as practicable after the date of the enactment of this subparagraph, subject to appropriations, the Commission shall appoint at least 100 full-time employees (in addition to the employees employed by the Commission as of the date of the enactment of this subparagraph)—

“(i) to increase the public transparency of operations in agriculture and energy markets;

“(ii) to improve the enforcement of this Act in those markets; and

“(iii) to carry out such other duties as are prescribed by the Commission.”.

(b) INSPECTOR GENERAL OF COMMODITY FUTURES TRADING COMMISSION.—

(1) ELEVATION OF OFFICE.—

(A) INCLUSION OF CFTC IN DEFINITION OF ESTABLISHMENT.—Section 11(2) of the Inspector General Act of 1878 (5 U.S.C. App.) is amended by striking “or the Export-Import Bank,” and inserting “, the Export-Import Bank, or the Commodity Futures Trading Commission.”.

(B) EXCLUSION OF CFTC FROM DEFINITION OF DESIGNATED FEDERAL ENTITY.—Section 8G(a)(2) of such Act (5 U.S.C. App.) is amended by striking “the Commodity Futures Trading Commission.”.

(2) TRANSITION.—Until such time as the Inspector General of the Commodity Futures Trading Commission is appointed in accordance with section 3 of the Inspector General Act of 1978, the Office of Inspector General of the Commission shall continue in effect as provided in such Act before the date of the enactment of this Act.

#### SEC. 11. REVIEW OF PRIOR ACTIONS.

Notwithstanding any other provision of the Commodity Exchange Act, the Commodity Futures Trading Commission shall review, as appropriate, all regulations, rules,

exemptions, exclusions, guidance, no action letters, orders, other actions taken by or on behalf of the Commission, and any action taken pursuant to the Commodity Exchange Act by an exchange, self-regulatory organization, or any other registered entity, that are currently in effect, to ensure that such prior actions are in compliance with the provisions of this Act.

## SEC. 12. REVIEW OF OVER-THE-COUNTER MARKETS.

(a) **STUDY.**—The Commodity Futures Trading Commission shall conduct a study—

(1) to determine the efficacy, practicality, and consequences of establishing position limits for agreements, contracts, or transactions conducted in reliance on sections 2(g) and 2(h) of the Commodity Exchange Act and of any exemption issued by the Commission by rule, regulation or order, as a means to deter and prevent price manipulation or any other disruption to market integrity or to diminish, eliminate, or prevent excessive speculation as described in section 4a of such Act for physical-based commodities; and

(2) to determine the efficacy, practicality, and consequences of establishing aggregate position limits for similar agreements, contracts, or transactions for physical-based commodities traded—

(A) on designated contract markets;

(B) on derivatives transaction execution facilities; and

(C) in reliance on such sections 2(g) and 2(h) and of any exemption issued by the Commission by rule, regulation or order.

(b) **PUBLIC HEARINGS.**—The Commission shall provide for not less than 2 public hearings to take testimony, on the record, as part of the fact-gathering process in preparation of the report.

(c) **REPORT AND RECOMMENDATIONS.**—Not less than 12 months after the date of the enactment of this section, the Commission shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(1) describes the results of the study; and

(2) provides recommendations on any actions necessary to deter and prevent price manipulation or any other disruption to market integrity or to diminish, eliminate, or prevent excessive speculation as described in section 4a of the Commodity Exchange Act for physical-based commodities, including—

(A) any additional statutory authority that the Commission determines to be necessary to implement the recommendations; and

(B) a description of the resources that the Commission considers to be necessary to implement the recommendations.

## SEC. 13. STUDIES; REPORTS.

(a) **STUDY RELATING TO INTERNATIONAL REGULATION OF ENERGY COMMODITY MARKETS.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of the international regime for regulating the trading of energy commodity futures and derivatives.

(2) **ANALYSIS.**—The study shall include an analysis of, at a minimum—

(A) key common features and differences among countries in the regulation of energy commodity trading, including with respect to market oversight and enforcement standards and activities;

(B) variations among countries with respect to the use of position limits, position accountability levels, or other thresholds to detect and prevent price manipulation, excessive speculation as described in section 4a of the Commodity Exchange Act, or other unfair trading practices;

(C) variations in practices regarding the differentiation of commercial and non-commercial trading;

(D) agreements and practices for sharing market and trading data among futures authorities and between futures authorities and the entities that the futures authorities oversee; and

(E) agreements and practices for facilitating international cooperation on market oversight, compliance, and enforcement.

(3) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(A) describes the results of the study;

(B) addresses whether there is excessive speculation, and if so, the effects of any such speculation and energy price volatility on energy futures; and

(C) provides recommendations to improve openness, transparency, and other necessary elements of a properly functioning market in a manner that protects consumers in the United States.

(b) **STUDY RELATING TO EFFECTS OF SPECULATORS ON AGRICULTURE AND ENERGY FUTURES MARKETS AND AGRICULTURE AND ENERGY PRICES.**—

(1) **STUDY.**—The Comptroller General of the United States shall conduct a study of the effects of speculators on agriculture and energy futures markets and agriculture and energy prices.

(2) **ANALYSIS.**—The study shall include an analysis of, at a minimum—

(A) the effect of increased amounts of capital in agriculture and energy futures markets;

(B) the impact of the roll-over of positions by index fund traders and swap dealers on agriculture and energy futures markets and agriculture and energy prices; and

(C) the extent to which each factor described in subparagraphs (A) and (B) and speculators—

(i) affect—

(I) the pricing of agriculture and energy commodities; and

(II) risk management functions; and

(ii) contribute to economically efficient price discovery.

(3) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study.

## SEC. 14. OVER-THE-COUNTER AUTHORITY.

(a) **IN GENERAL.**—Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended by adding at the end the following:

“(j) **OVER-THE-COUNTER AUTHORITY.**—

“(1) Within 60 days after the date of the enactment of this subsection, the Commission shall, by rule, regulation, or order, require routine reporting as it deems in its discretion appropriate, on not less than a monthly basis, of agreements, contracts, or transactions, with regard to an agricultural or energy commodity, entered into in reliance on subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation, or order that are fungible (as defined by the Commission) with agreements, contracts, or transactions traded on or subject to the rules of any board of trade or of any electronic trading facility with respect to a significant price discovery contract.

“(2) Notwithstanding subsections (g), (h)(1), and (h)(2) of section 2, and any exemption issued by the Commission by rule, regulation, or order, the Commission shall assess and issue a finding on whether the agreements, contracts, or transactions reported pursuant to paragraph (1), alone or in con-

junction with other similar agreements, contracts, or transactions, have the potential to—

“(A) disrupt the liquidity or price discovery function on a registered entity;

“(B) cause a severe market disturbance in the underlying cash or futures market for an agricultural or energy commodity; or

“(C) prevent or otherwise impair the price of a contract listed for trading on a registered entity from reflecting the forces of supply and demand in any market for an agricultural commodity enumerated in section 1a(4) or an energy commodity.

“(3) If the Commission makes a finding pursuant to paragraph (2) of this subsection, the Commission may, in its discretion, utilize its authority under section 8a(9) to impose position limits for speculators on the agreements, contracts, or transactions involved and take corrective actions to enforce the limits.”

(b) **CONFORMING AMENDMENTS.**—

(1) Section 2(g) of such Act (7 U.S.C. 2(g)) is amended by inserting “subsection (j) of this section, and” after “(other than”.

(2) Section 2(h)(2)(A) of such Act (7 U.S.C. 2(h)(2)(A)) is amended by inserting “subsection (j) of this section and” before “sections”.

(3) Section 8a(9) of such Act (7 U.S.C. 12a(a)(9)) is amended by inserting after “of the Commission’s action” the following: “, and to fix and enforce limits to agreements, contracts, or transaction subject to section 2(j)(1) pursuant to a finding made under section 2(j)(2)”.

## SEC. 15. EXPEDITED PROCESS.

The Commodity Futures Trading Commission may use emergency and expedited procedures (including any administrative or other procedure as appropriate) to carry out this Act if, in its discretion, it deems it necessary to do so.

The **SPEAKER pro tempore**. Pursuant to House Resolution 1449, the amendment in the nature of a substitute printed in House Report 110-859 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6604

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Commodity Markets Transparency and Accountability Act of 2008”.

## SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definition of energy commodity.
- Sec. 4. Speculative limits and transparency of off-shore trading.
- Sec. 5. Disaggregation of index funds and other data in energy and agriculture markets.
- Sec. 6. Detailed reporting from index traders and swap dealers.
- Sec. 7. Transparency and recordkeeping authorities.
- Sec. 8. Trading limits to prevent excessive speculation.
- Sec. 9. Modifications to core principles applicable to position limits for contracts in agricultural and energy commodities.
- Sec. 10. CFTC Administration.
- Sec. 11. Review of prior actions.
- Sec. 12. Review of over-the-counter markets.
- Sec. 13. Studies; reports.
- Sec. 14. Over-the-counter authority.
- Sec. 15. Expedited process.

## SEC. 3. DEFINITION OF ENERGY COMMODITY.

(a) **DEFINITION OF ENERGY COMMODITY.**—Section 1a of the Commodity Exchange Act (7 U.S.C. 1a) is amended—

(1) by redesignating paragraphs (13) through (34) as paragraphs (14) through (35), respectively; and

(2) by inserting after paragraph (12) the following:

“(13) ENERGY COMMODITY.—The term ‘energy commodity’ means—

“(A) coal;

“(B) crude oil, gasoline, diesel fuel, jet fuel, heating oil, and propane;

“(C) electricity;

“(D) natural gas; and

“(E) any other substance that is used as a source of energy, as the Commission, in its discretion, deems appropriate.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 2(c)(2)(B)(i)(II)(cc) of the Commodity Exchange Act (7 U.S.C. 2(c)(2)(B)(i)(II)(cc)) is amended—

(A) in subitem (AA), by striking “section 1a(20)” and inserting “section 1a(21)”; and

(B) in subitem (BB), by striking “section 1a(20)” and inserting “section 1a(21)”.

(2) Section 13106(b)(1) of the Food, Conservation, and Energy Act of 2008 is amended by striking “section 1a(32)” and inserting “section 1a”.

(3) Section 402 of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27) is amended—

(A) in subsection (a)(7), by striking “section 1a(20)” and inserting “section 1a”; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by striking “section 1a(33)” and inserting “section 1a”; and

(ii) in paragraph (2)(D), by striking “section 1a(13)” and inserting “section 1a”.

#### SEC. 4. SPECULATIVE LIMITS AND TRANSPARENCY OF OFF-SHORE TRADING.

(a) IN GENERAL.—Section 4 of the Commodity Exchange Act (7 U.S.C. 6) is amended by adding at the end the following:

“(e) FOREIGN BOARDS OF TRADE.—

“(1) IN GENERAL.—The Commission may not permit a foreign board of trade to provide to the members of the foreign board of trade or other participants located in the United States direct access to the electronic trading and order matching system of the foreign board of trade with respect to an agreement, contract, or transaction in an energy or agricultural commodity that settles against any price (including the daily or final settlement price) of 1 or more contracts listed for trading on a registered entity, unless—

“(A) the foreign board of trade makes public daily trading information regarding the agreement, contract, or transaction that is comparable to the daily trading information published by the registered entity for the 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles; and

“(B) the foreign board of trade (or the foreign futures authority that oversees the foreign board of trade)—

“(i) adopts position limits (including related hedge exemption provisions) for the agreement, contract, or transaction that are comparable, taking into consideration the relative sizes of the respective markets, to the position limits (including related hedge exemption provisions) adopted by the registered entity for the 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles;

“(ii) has the authority to require or direct market participants to limit, reduce, or liquidate any position the foreign board of trade (or the foreign futures authority that oversees the foreign board of trade) determines to be necessary to prevent or reduce the threat of price manipulation, excessive speculation as described in section 4a, price distortion, or disruption of delivery or the cash settlement process;

“(iii) agrees to promptly notify the Commission of any change regarding—

“(I) the information that the foreign board of trade will make publicly available;

“(II) the position limits that the foreign board of trade or foreign futures authority will adopt and enforce;

“(III) the position reductions required to prevent manipulation, excessive speculation as described in section 4a, price distortion, or disruption of delivery or the cash settlement process; and

“(IV) any other area of interest expressed by the Commission to the foreign board of trade or foreign futures authority;

“(iv) provides information to the Commission regarding large trader positions in the agreement, contract, or transaction that is comparable to the large trader position information collected by the Commission for the 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles; and

“(v) provides the Commission with information necessary to publish reports on aggregate trader positions for the agreement, contract, or transaction traded on the foreign board of trade that are comparable to such reports for 1 or more contracts against which the agreement, contract, or transaction traded on the foreign board of trade settles.

“(2) EXISTING FOREIGN BOARDS OF TRADE.—Paragraph (1) shall not be effective with respect to any agreement, contract, or transaction in an energy commodity executed on a foreign board of trade to which the Commission had granted direct access permission before the date of the enactment of this subsection until the date that is 180 days after such date of enactment.”.

(b) LIABILITY OF REGISTERED PERSONS TRADING ON A FOREIGN BOARD OF TRADE.—

(1) Section 4(a) of such Act (7 U.S.C. 6(a)) is amended by inserting “or by subsection (f)” after “Unless exempted by the Commission pursuant to subsection (c)”.

(2) Section 4 of such Act (7 U.S.C. 6) is further amended by adding at the end the following:

“(f) A person registered with the Commission, or exempt from registration by the Commission, under this Act may not be found to have violated subsection (a) with respect to a transaction in, or in connection with, a contract of sale of a commodity for future delivery if the person has reason to believe the transaction and the contract is made on or subject to the rules of a board of trade that is legally organized under the laws of a foreign country, authorized to act as a board of trade by a foreign futures authority, subject to regulation by the foreign futures authority, and has not been determined by the Commission to be operating in violation of subsection (a).”.

(c) CONTRACT ENFORCEMENT FOR FOREIGN FUTURES CONTRACTS.—Section 22(a) of such Act (7 U.S.C. 25(a)) is amended by adding at the end the following:

“(5) A contract of sale of a commodity for future delivery traded or executed on or through the facilities of a board of trade, exchange, or market located outside the United States for purposes of section 4(a) shall not be void, voidable, or unenforceable, and a party to such a contract shall not be entitled to rescind or recover any payment made with respect to the contract, based on the failure of the foreign board of trade to comply with any provision of this Act.”.

#### SEC. 5. DISAGGREGATION OF INDEX FUNDS AND OTHER DATA IN ENERGY AND AGRICULTURE MARKETS.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6), as amended by section 4 of this Act, is amended by adding at the end the following:

“(g) DISAGGREGATION OF INDEX FUNDS AND OTHER DATA IN ENERGY AND AGRICULTURE MARKETS.—Subject to section 8 and beginning within 30 days of the issuance of the final rule required by section 4(h), the Commission shall disaggregate and make public weekly—

“(1) the number of positions and total value of index funds and other passive, long-only and short-only positions (as defined by the Commission) in all energy and agricultural markets to the extent such information is available; and

“(2) data on speculative positions relative to bona fide physical hedgers in those markets to the extent such information is available.”.

#### SEC. 6. DETAILED REPORTING FROM INDEX TRADERS AND SWAP DEALERS.

Section 4 of the Commodity Exchange Act (7 U.S.C. 6), as amended by sections 4 and 5 of this Act, is amended by adding at the end the following:

“(h) INDEX TRADERS AND SWAP DEALERS REPORTING.—The Commission shall issue a proposed rule defining and classifying index traders and swap dealers (as those terms are defined by the Commission) for purposes of data reporting requirements and setting routine detailed reporting requirements for such entities in designated contract markets, derivatives transaction execution facilities, foreign boards of trade subject to section 4(e), and electronic trading facilities with respect to significant price discovery contracts with respect to exempt and agricultural commodities not later than 60 days after the date of the enactment of this subsection, and issue a final rule within 120 days after such date of enactment.”.

#### SEC. 7. TRANSPARENCY AND RECORDKEEPING AUTHORITIES.

(a) IN GENERAL.—Section 4g(a) of the Commodity Exchange Act (7 U.S.C. 6g(a)) is amended—

(1) by inserting “a” before “futures commission merchant”; and

(2) by inserting “and transactions and positions traded pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation or order,” after “United States or elsewhere.”.

(b) REPORTS OF DEALS EQUAL TO OR IN EXCESS OF TRADING LIMITS.—Section 4i of such Act (7 U.S.C. 6i) is amended—

(1) in the first sentence—

(A) by inserting “(a)” before “It shall”; and

(B) by inserting “in the United States or elsewhere, and of transactions and positions in any such commodity entered into pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation or order” before “, and of cash or spot”; and

(2) by striking all that follows the 1st sentence and inserting the following:

“(b) With respect to agricultural and energy commodities, upon special call by the Commission, any person shall provide to the Commission, in a form and manner and within the period specified in the special call, books and records of all transactions and positions traded on or subject to the rules of any board of trade or electronic trading facility in the United States or elsewhere, or pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation, or order, as the Commission may determine appropriate to deter and prevent price manipulation or any other disruption to market integrity or to diminish, eliminate, or prevent excessive speculation as described in section 4a(a).

“(c) Such books and records described in subsections (a) and (b) shall show complete

details concerning all such transactions, positions, inventories, and commitments, including the names and addresses of all persons having any interest therein, shall be kept for a period of 5 years, and shall be open at all times to inspection by any representative of the Commission or the Department of Justice. For the purposes of this section, the futures and cash or spot transactions and positions of any person shall include such transactions and positions of any persons directly or indirectly controlled by the person."

(C) CONFORMING AMENDMENTS.—

(1) Section 2(g) of such Act (7 U.S.C. 2(g)) is amended—

(A) by inserting "4g(a), 4i," before "5a (to)"; and

(B) by inserting ", and the regulations of the Commission pursuant to section 4i(b) requiring reporting in connection with commodity option transactions," before "shall apply".

(2) Section 2(h)(2)(A) of such Act (7 U.S.C. 2(h)(2)(A)) is amended to read as follows:

"(A) sections 4g(a), 4i, 5b and 12(e)(2)(B), and the regulations of the Commission pursuant to section 4i(b) requiring reporting in connection with commodity option transactions;"

**SEC. 8. TRADING LIMITS TO PREVENT EXCESSIVE SPECULATION.**

Section 4a of the Commodity Exchange Act (7 U.S.C. 6a) is amended—

(1) in subsection (a)—

(A) by inserting "(1)" after "(a)"; and

(B) by adding after and below the end the following:

"(2) In accordance with the standards set forth in paragraph (1) of this subsection and consistent with the good faith exception cited in subsection (b)(2), with respect to agricultural commodities enumerated in section 1a(4) and energy commodities, the Commission, within 60 days after the date of the enactment of this paragraph, shall by rule, regulation, or order establish limits on the amount of positions, other than bona fide hedge positions, that may be held by any person with respect to contracts of sale for future delivery or with respect to options on such contracts or commodities traded on or subject to the rules of a contract market or derivatives transaction execution facility, or on an electronic trading facility as a significant price discovery contract.

"(3) In establishing the limits required in paragraph (2), the Commission shall set limits—

"(A) on the number of positions that may be held by any person for the spot month, each other month, and the aggregate number of positions that may be held by any person for all months;

"(B) to the maximum extent practicable, in its discretion—

"(i) to diminish, eliminate, or prevent excessive speculation as described under this section;

"(ii) to deter and prevent market manipulation, squeezes, and corners;

"(iii) to ensure sufficient market liquidity for bona fide hedgers; and

"(iv) to ensure that the price discovery function of the underlying market is not disrupted; and

"(C) to the maximum extent practicable, in its discretion, take into account the total number of positions in fungible agreements, contracts, or transactions that a person can hold in agricultural and energy commodities in other markets.

"(4)(A) Not later than 150 days after the date of the enactment of this paragraph, the Commission shall convene a Position Limit Agricultural Advisory Group and a Position Limit Energy Group, each group consisting of representatives from—

"(i) 7 predominantly commercial short hedgers of the actual physical commodity for future delivery;

"(ii) 7 predominantly commercial long hedgers of the actual physical commodity for future delivery;

"(iii) 4 non-commercial participants in markets for commodities for future delivery; and

"(iv) each designated contract market or derivatives transaction execution facility upon which a contract in the commodity for future delivery is traded, and each electronic trading facility that has a significant price discovery contract in the commodity."

"(B) Not later than 60 days after the date on which the advisory groups are convened under subparagraph (A), and annually thereafter, the advisory groups shall submit to the Commission advisory recommendations regarding the position limits to be established in paragraph (2) and a recommendation as to whether the position limits should be administered directly by the Commission, or by the registered entity on which the commodity is listed (with enforcement by both the registered entity and the Commission); and

(2) in subsection (c)—

(A) by inserting "(1)" after "(c)"; and

(B) by adding after and below the end the following:

"(2) With respect to agricultural and energy commodities, for the purposes of contracts of sale for future delivery and options on such contracts or commodities, the Commission shall define what constitutes a bona fide hedging transaction or position as a transaction or position that—

"(A)(i) represents a substitute for transactions to be made or positions to be taken at a later time in a physical marketing channel;

"(ii) is economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise; and

"(iii) arises from the potential change in the value of—

"(I) assets that a person owns, produces, manufactures, processes, or merchandises or anticipates owning, producing, manufacturing, processing, or merchandising;

"(II) liabilities that a person owns or anticipates incurring; or

"(III) services that a person provides, purchases, or anticipates providing or purchasing; or

"(B) reduces risks attendant to a position resulting from a transaction that—

"(i) was executed pursuant to subsection (g), (h)(1), or (h)(2) of section 2, or an exemption issued by the Commission by rule, regulation or order; and

"(ii) was executed opposite a counterparty for which the transaction would qualify as a bona fide hedging transaction pursuant to paragraph (2)(A) of this subsection."

**SEC. 9. MODIFICATIONS TO CORE PRINCIPLES APPLICABLE TO POSITION LIMITS FOR CONTRACTS IN AGRICULTURAL AND ENERGY COMMODITIES.**

(a) **CONTRACTS TRADED ON CONTRACT MARKETS.**—Section 5(d)(5) of the Commodity Exchange Act (7 U.S.C. 7(d)(5)) is amended by striking all that follows "adopt" and inserting ", for speculators, position limitations with respect to agricultural commodities enumerated in section 1a(4) or energy commodities, and position limitations or position accountability with respect to other commodities, where necessary and appropriate."

(b) **CONTRACTS TRADED ON DERIVATIVES TRANSACTION EXECUTION FACILITIES.**—Section 5a(d)(4) of such Act (7 U.S.C. 7a(d)(4)) is amended by striking all that follows "adopt" and inserting ", for speculators, position limitations with respect to energy commod-

ities, and position limitations or position accountability with respect to other commodities, where necessary and appropriate for a contract, agreement or transaction with an underlying commodity that has a physically deliverable supply."

(c) **SIGNIFICANT PRICE DISCOVERY CONTRACTS.**—Section 2(h)(7)(C)(ii)(IV) of such Act (7 U.S.C. 2(h)(7)(C)(ii)(IV)) is amended by striking "where necessary" and all that follows through "in significant price discovery contracts" and inserting "for speculators, position limitations with respect to significant price discovery contracts in energy commodities, and position limitations or position accountability with respect to significant price discovery contracts in other commodities".

**SEC. 10. CFTC ADMINISTRATION.**

Section 2(a)(7) of the Commodity Exchange Act (7 U.S.C. 2(a)(7)) is amended by adding at the end the following:

"(D) **ADDITIONAL EMPLOYEES.**—As soon as practicable after the date of the enactment of this subparagraph, subject to appropriations, the Commission shall appoint at least 100 full-time employees (in addition to the employees employed by the Commission as of the date of the enactment of this subparagraph)—

"(i) to increase the public transparency of operations in agriculture and energy markets;

"(ii) to improve the enforcement of this Act in those markets; and

"(iii) to carry out such other duties as are prescribed by the Commission."

**SEC. 11. REVIEW OF PRIOR ACTIONS.**

Notwithstanding any other provision of the Commodity Exchange Act, the Commodity Futures Trading Commission shall review, as appropriate, all regulations, rules, exemptions, exclusions, guidance, no action letters, orders, other actions taken by or on behalf of the Commission, and any action taken pursuant to the Commodity Exchange Act by an exchange, self-regulatory organization, or any other registered entity, that are currently in effect, to ensure that such prior actions are in compliance with the provisions of this Act.

**SEC. 12. REVIEW OF OVER-THE-COUNTER MARKETS.**

(a) **STUDY.**—The Commodity Futures Trading Commission shall conduct a study—

(1) to determine the efficacy, practicality, and consequences of establishing limits on the amount of positions, other than bona fide hedge positions, that may be held by any person with respect to agreements, contracts, or transactions involving an agricultural or energy commodity, conducted in reliance on sections 2(g) and 2(h) of the Commodity Exchange Act and of any exemption issued by the Commission by rule, regulation or order, that are fungible (as defined by the Commission) with agreements, contracts, or transactions traded on or subject to the rules of any board of trade or of any electronic trading facility with respect to a significant price discovery contract, as a means to deter and prevent price manipulation or any other disruption to market integrity or to diminish, eliminate, or prevent excessive speculation as described in section 4a of such Act for physical-based agricultural or energy commodities; and

(2) to determine the efficacy, practicality, and consequences of establishing aggregate position limits for similar agreements, contracts, or transactions for physical-based agricultural or energy commodities traded—

(A) on designated contract markets;

(B) on derivatives transaction execution facilities; and

(C) in reliance on such sections 2(g) and 2(h) and of any exemption issued by the Commission by rule, regulation or order.



(b) PUBLIC HEARINGS.—The Commission shall provide for not less than 2 public hearings to take testimony, on the record, as part of the fact-gathering process in preparation of the report.

(c) REPORT AND RECOMMENDATIONS.—Not less than 12 months after the date of the enactment of this section, the Commission shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(1) describes the results of the study; and

(2) provides recommendations on any actions necessary to deter and prevent price manipulation or any other disruption to market integrity or to diminish, eliminate, or prevent excessive speculation as described in section 4a of the Commodity Exchange Act for physical-based commodities, including—

(A) any additional statutory authority that the Commission determines to be necessary to implement the recommendations; and

(B) a description of the resources that the Commission considers to be necessary to implement the recommendations.

#### SEC. 13. STUDIES; REPORTS.

(a) STUDY RELATING TO INTERNATIONAL REGULATION OF ENERGY COMMODITY MARKETS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the international regime for regulating the trading of energy commodity futures and derivatives.

(2) ANALYSIS.—The study shall include an analysis of, at a minimum—

(A) key common features and differences among countries in the regulation of energy commodity trading, including with respect to market oversight and enforcement standards and activities;

(B) variations among countries with respect to the use of position limits, position accountability levels, or other thresholds to detect and prevent price manipulation, excessive speculation as described in section 4a of the Commodity Exchange Act, or other unfair trading practices;

(C) variations in practices regarding the differentiation of commercial and non-commercial trading;

(D) agreements and practices for sharing market and trading data among futures authorities and between futures authorities and the entities that the futures authorities oversee; and

(E) agreements and practices for facilitating international cooperation on market oversight, compliance, and enforcement.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(A) describes the results of the study;

(B) addresses whether there is excessive speculation, and if so, the effects of any such speculation and energy price volatility on energy futures; and

(C) provides recommendations to improve openness, transparency, and other necessary elements of a properly functioning market in a manner that protects consumers in the United States.

(b) STUDY RELATING TO EFFECTS OF SPECULATORS ON AGRICULTURE AND ENERGY FUTURES MARKETS AND AGRICULTURE AND ENERGY PRICES.—

(1) STUDY.—The Commodity Futures Trading Commission shall conduct a study of the effects of speculators on agriculture and energy futures markets and agriculture and energy prices.

(2) ANALYSIS.—The study shall include an analysis of, at a minimum—

(A) the effect of increased amounts of capital in agriculture and energy futures markets;

(B) the impact of the roll-over of positions by index fund traders and swap dealers on agriculture and energy futures markets and agriculture and energy prices; and

(C) the extent to which each factor described in subparagraphs (A) and (B) and speculators—

(i) affect—

(I) the pricing of agriculture and energy commodities; and

(II) risk management functions; and

(ii) contribute to economically efficient price discovery.

(3) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Commodity Futures Trading Commission shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study.

#### SEC. 14. OVER-THE-COUNTER AUTHORITY.

(a) IN GENERAL.—Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended by adding at the end the following:

“(j) OVER-THE-COUNTER AUTHORITY.—

“(1) Within 60 days after the date of the enactment of this subsection, the Commission shall, by rule, regulation, or order, require routine reporting as it deems in its discretion appropriate, on not less than a monthly basis, of agreements, contracts, or transactions, with regard to an agricultural or energy commodity, entered into in reliance on subsection (g), (h)(1), or (h)(2) of section 2, or any exemption issued by the Commission by rule, regulation, or order that are fungible (as defined by the Commission) with agreements, contracts, or transactions traded on or subject to the rules of any board of trade or of any electronic trading facility with respect to a significant price discovery contract.

“(2) Notwithstanding subsections (g), (h)(1), and (h)(2) of section 2, and any exemption issued by the Commission by rule, regulation, or order, the Commission shall assess and issue a finding on whether the agreements, contracts, or transactions reported pursuant to paragraph (1), alone or in conjunction with other similar agreements, contracts, or transactions, have the potential to—

“(A) disrupt the liquidity or price discovery function on a registered entity;

“(B) cause a severe market disturbance in the underlying cash or futures market for an agricultural or energy commodity; or

“(C) prevent or otherwise impair the price of a contract listed for trading on a registered entity from reflecting the forces of supply and demand in any market for an agricultural commodity enumerated in section 1a(4) or an energy commodity.

“(3) If the Commission makes a finding pursuant to paragraph (2) of this subsection, the Commission may, in its discretion, utilize its authority under section 8a(9) to impose position limits (including, as appropriate and in its discretion, related hedge exemption provisions for bona fide hedging comparable to bona fide hedge provisions of section 4a(c)(2)) on agreements, contracts, or transactions involved, and take corrective actions to enforce the limits.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 2(g) of such Act (7 U.S.C. 2(g)) is amended by inserting “subsection (j) of this section, and” after “(other than)”.

(2) Section 2(h)(2)(A) of such Act (7 U.S.C. 2(h)(2)(A)) is amended by inserting “subsection (j) of this section and” before “sections”.

(3) Section 8a(9) of such Act (7 U.S.C. 12a(a)(9)) is amended by inserting after “of the Commission’s action” the following: “, and to fix and enforce limits to agreements, contracts, or transaction subject to section 2(j)(1) pursuant to a finding made under section 2(j)(2)”.

#### SEC. 15. EXPEDITED PROCESS.

The Commodity Futures Trading Commission may use emergency and expedited procedures (including any administrative or other procedure as appropriate) to carry out this Act if, in its discretion, it deems it necessary to do so.

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. PETERSON) and the gentleman from Virginia (Mr. GOODLATTE) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Speaker, H.R. 6604, the Commodity Markets Transparency and Accountability Act of 2008, will strengthen oversight of the Commodity Futures Market for energy and agricultural commodities. This bill will be almost entirely identical to the version that we considered under suspension here on July 30, 2008.

There are two changes that are purely technical and corrected typographical errors, and there are two other changes that we made in the bill to make sure the provisions are entirely within the jurisdiction of the Agriculture Committee.

One strikes section 10(b) regarding the Inspector General of the CFTC. The other, section 13(b) is modified so the Commodity Futures Trading Commission does the reference study instead of the Comptroller General.

Mr. Speaker, on this bill we have gotten more information in the committee, and Mr. ETHERIDGE had a hearing that he chaired last week.

I would at this time yield 5 minutes to the gentleman from North Carolina (Mr. ETHERIDGE) who has been working with me tirelessly on this to talk about the process and explain the bill.

Mr. ETHERIDGE. I thank the chairman.

I am pleased today to join Chairman PETERSON and Ranking Member GOODLATTE in bringing this legislation, the Commodity Markets Transparency and Accountability Act of 2008, to the floor for consideration by the House.

Mr. Speaker, since our bill was considered by the full House this past July, much has happened. For one thing, oil prices have dropped, and they have dropped considerably. They have gone up in the last day or so. Additionally, the CFTC has released a report providing the most detailed and accurate look at data on index trading and swap dealers participating in the over-the-counter market.

While all of us are glad to see the prices of oil decline and other commodities in recent months, it does not relieve the Commission or this Congress of our responsibility to make sure that commodity markets are operating effectively, efficiently and fairly. And

while the CFTC report indicates that index funds and swap dealers have less influence on our markets than had otherwise been reported, the report does not tell us the whole story or provide us with all the answers to our questions regarding these markets.

The CFTC report fails to include the time period of this July and August and recent weeks when oil prices fell fairly rapidly. Do we have a clear understanding of why prices fell? No. Passing H.R. 6604 will provide the CFTC with the authority and the tools to examine the entire marketplace to ensure no individual group or groups of market participants is having an undue influence on the market.

Months ago, the CFTC was telling Congress that it needed no additional changes to the Commodity Exchange Act and that markets were functioning properly. Now the CFTC's report contains a host of proposals very similar to the provisions in the Commodities Market Transparency and Accountability Act.

The report recommends measures designed to enhance transparency and data accuracy for commodity markets. Our bill provides the commission with the tools to make that happen.

The report suggests revising the hedge exemption rules that allow traders to exceed speculation position limits. Our bill accomplishes that too.

The report highlights the desperate need for additional staff and resources at the CFTC, not only to accomplish its current mission, but also to implement its recommendations to bring greater transparency and accountability to the commodity markets. We happen to agree.

Since 2000, volume on the commodity markets has increased sixfold, but currently staffing levels at the CFTC have fallen to their lowest level in the 33-year history of the Commodities Exchange. Through this legislation, we acknowledge the need for 100 additional full-time positions at CFTC that they need to effectively regulate the futures industry, including our energy markets. But we should not kid ourselves. The CFTC needs far more resources to do the job that we expect them to do.

□ 1230

Earlier this year the chairman of the CFTC testified at a hearing that the agency needed 100 additional staff right now just to meet the growing surveillance needs.

In testimony presented to the House Agriculture Committee a week ago today, the chairman of the commission testified the CFTC would need still another 138 full-time staff and \$38 million just in 2009 to implement the provisions of H.R. 6604. Given the light of what is happening in the markets, I think we understand why the need is there.

I have said this before, but it bears repeating, if Congress places additional responsibility upon the Commission, without providing the resources nec-

essary to meet those responsibilities, then what we pass here today is simply a farce. Through its report, CFTC views on effective oversight of commodity markets have changed dramatically from where the commission was previously.

I know some of my colleagues will say let's wait and give the commission time to implement these recommendations administratively. I say why wait for the commission to implement changes that we as a Congress can do right now with H.R. 6604.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield the gentleman another 30 seconds.

Mr. ETHERIDGE. We can all agree that no one factor is responsible for the movement we have seen in agriculture and energy prices, but this legislation is an important measure to provide the CFTC with additional tools and authority to keep our markets free of manipulation and excess speculation and help restore confidence to these markets. We cannot allow excess speculation by Wall Street to cause folks on Main Street to suffer.

I urge my colleagues to support this legislation.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

For the past few years, the Committee on Agriculture has taken a proactive approach to try to understand and monitor the issue of trading activity in the futures markets and conduct appropriate oversight. This was so we could make an informed decision about whether or not commodity markets need greater transparency and accountability.

Last week, CFTC Acting Chairman Walt Lukken presented a 6-month study of the futures market to the committee. Chairman Lukken and his staff spent a lot of hours and a great deal of work over the past 3 months to produce that report. We appreciated their efforts, especially for keeping an aggressive timetable.

The CFTC report was useful in providing a reference point in determining the relationship between index fund-related activity in the over-the-counter markets and commodity futures, and energy and agriculture prices in the United States.

However, as we move forward today with H.R. 6604, there are key factors for us to consider.

One, after hearing testimony from Mr. Lukken, and after examining the findings of this report, it is evident that our priority should be ensuring that the CFTC has the tools and resources it needs to protect and preserve the integrity of our futures markets.

The CFTC devoted more than 30 employees and 4,000 staff hours to produce this report. Those who have read the report all agree that these broad snapshots of the markets are necessary, but the CFTC does not have the staff to dedicate to similar projects.

This bill directs the CFTC to hire 100 additional employees. But because there has not been a single appropriations bill passed by both Chambers and presented to the President, I have no idea how the already underfunded agency will be able to do so.

The Democratic leadership is fond of pointing the finger of blame, but ultimately the Democratic leadership has one duty, to consider and pass the appropriations bills that fund the government. The Democratic leadership has refused to execute this duty and has failed the American taxpayer.

Second, this bill will not reduce the price of oil. It will not relieve the burden many Americans face at the gas pump. In order to achieve that very important goal, Congress must focus on creating a viable energy policy that goes beyond the measures passed thus far to increase the domestic supply of energy sources and promote energy independence.

Though I have concerns that some of the provisions in H.R. 6604 are too far-reaching, I will continue to support this bill to ensure that the CFTC has all the tools it needs to preserve and protect the integrity of our futures markets.

But I know, as I have worked closely with the chairman of the committee, who has worked in a very bipartisan fashion to fashion this legislation and address these concerns and make sure the CFTC has the necessary oversight authority and capability, that this bill would provide for it.

I also know that this is not what the American people want and need when it comes to energy. I know that there are many on the other side of the aisle who are hoping still to have an opportunity to vote, not on a hoax, not on a sham like we did 2 days ago, but on a real American energy bill that provides for real offshore drilling, not a bill that would shut off 80 to 90 percent of the known oil and natural gas reserves from access, not a bill that does nothing to promote nuclear power, not a bill that doesn't take up consideration of drilling in the Arctic National Wildlife Refuge, not a bill that shuts us off from tapping into the oil shale reserves that are in tremendous abundance in the Rocky Mountain States, not a bill that does nothing for coal-to-liquid and other clean coal technologies that would benefit the American people, since we have the largest coal reserves in the world, not a bill that imposes tax increases in order to get to the alternative forms of energy that the American people want to have, but, rather, the American Energy Act, something that we asked this Congress to bring up before we went into a 5-week August recess.

While the Speaker of the House ordered the microphones turned off, the C-SPAN cameras turned off, the lights turned down low, we stayed here day after day, week after week, calling for a vote on the American Energy Act. We didn't get it.

Instead, we got this sham hoax that won't produce a drop of new oil, won't produce a cubic foot of new natural gas, will do nothing for nuclear power, will do nothing for coal, will do nothing for alternative forms of energy. It is simply an effort to try to derail what the American people clearly wanted to see on the floor of this House.

We still haven't seen it. This bill doesn't do it. We need to have that vote, and that's what the debate should be about here today, not this legislation which is good, but does not do what the American people want.

Mr. Speaker, I reserve the balance of my time.

Mr. PETERSON of Minnesota. I want to take a second to commend my ranking member for the outstanding work that did he with us on a bipartisan basis in this committee to bring this bill forward. We take our jurisdiction very seriously, and we think we have produced a good product.

Mr. Speaker, I am now pleased to recognize the gentleman from Connecticut (Mr. COURTNEY) for 1 minute.

Mr. COURTNEY. Mr. Speaker, I rise in strong support of Chairman PETERSON's bill, which is a logical follow-on to Tuesday's energy bill that had two goals: number one, to bring immediate relief to consumers; and, two, to bring long-term solutions to America's energy challenges. This bill will go a long way to bring accountability to the price of a critical commodity, oil, which is the lifeblood of our economy.

The facts are clear, before energy commodities trading was exempted from CFTC oversight, about 70 percent of the energy futures trading was done by energy companies, 30 percent was done by speculators. Today those numbers are reversed, and the trading volume has increased sixfold.

As an old friend of mine, who has been in the scrap metal business in Willimantic, Connecticut, for 30 years said, commodity markets were never intended to be investment markets. Yet that is what they have become, and consumers and small businesses cannot keep up with the huge price swings occurring every day with no apparent connection to supply and demand.

These huge price swings have a direct result on my constituents in eastern Connecticut who are facing dire circumstances if home heating oil remains at high and unstable prices this fall and winter. It is time that Congress took additional steps to make sure that all markets, including foreign boards of trade, operate with CFTC oversight. We must bring transparency and stability to energy trading.

I urge my colleagues to support this bill.

Mr. GOODLATTE. Mr. Speaker, at this time I am pleased to yield 4 minutes to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. I thank the ranking member, and I am pleased to rise to

talk about this bill. I just think that it's important that we be square with the American people about what this bill does and what it doesn't do.

This bill essentially creates a straw man or a boogeyman and attacks that straw man or boogeyman as though they were responsible for the price of gasoline and energy in America today. Regardless of whether you are voting for or against this bill, it doesn't do anything to help Americans concerned about saving the American family and American business from the high price of oil and gas.

Let me explain to Americans what speculators do. I am not a speculator. Speculators bet on the future. It's legal to make a gamble in America and bet on the future of commodities prices, of pork bellies, and, as the agriculture chairman and ranking member are well aware, of the price of corn and wheat in the future. Speculators bet on the future.

What speculators have done with the price of oil and gas on the commodities market, they have simply bet on the future price of oil and gas. Now in this case, what are they betting on? They are betting that the demand for energy in the world, places like India and China and the third world, will increase. That's a pretty smart bet.

But they are betting on another thing. They are betting that the Democratic-led Congress will continue to be stupid and refuse to supply more energy for America. It's a simple preponderance rule of supply and demand. If you have less corn 2 months from now, the price of corn will go up. That's what speculators bet on.

If you are going to have more demand for energy and oil and gas, and you know you will not produce more supply, then the price of oil and gas will go up. To punish the speculators for betting that Congress will continue to be stupid and not produce American energy is really attacking a boogeyman. It is attacking a straw man and will not help with the price of oil.

Now, as the ranking member said, the great news is, America has an abundant supply of energy. We just won't access it. We are the Saudi Arabia of the world's coal supply. We can produce and burn coal in a liquefied or gasified manner cleaner than ever, but we refuse to do it. China is doing it, India is doing it, our competitors are doing it. We won't, even though we are the Saudi Arabia of coal.

We won't drill in ANWR. We will not access oil and tar shale. We passed a fraud on the American people in a bill the other day that said 88 percent of the area where we could drill off the Outer Continental Shelf for oil can never be drilled in, and the other 12 percent can be drilled in, but only if all of the radical environmentalists and trial lawyers somehow, someday, give us permission.

That is a no drilling bill. It is a no energy bill. Now we won't build nuclear

plants. America has the finest nuclear technology in the world. We stopped building nuclear plants 30 years ago, and American nuclear expertise, scientists and technologies went to France. You are a really foolish country if the French are outsmarting you on policy with your own technology, but that is what's happening every day.

So what do we do here today? Instead of passing a real American-based energy bill where American energy can be produced by American workers to save American families and American jobs, we have tax speculators who have bet on the future, and they have bet that the Democrat-led Congress will continue to be dumb.

I think they made a good bet.

Mr. PETERSON of Minnesota. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from Vermont (Mr. WELCH) who has been a leader on this issue.

Mr. WELCH of Vermont. Mr. Speaker, a couple of things about this. Number one, the fact that this is a bipartisan bill is really a breakthrough. The fact is that having the support of the Agriculture Committee, ranking member and the chairman, indicates that there is a coming together on something that is incredibly important.

We have had a lot of debate about how this is going to affect the price of gas, but the way, as I understand it, the Agriculture Committee approached this, was how are we going to protect consumers? How are we going to protect farmers? How are we going to protect fuel dealers and airlines that have the burden of buying in the futures market because they need price stability, and they need a futures trading market in order to have price discovery, so that coming together was about recognizing that the institutional mechanism of a commodity futures trading commission has to be in service of those farmers in the Midwest.

It has to be in service of airlines that are trying to get us from here to there, of our fuel dealers that are delivering home heating fuel to our people at home. We can have a debate about how much prices are going to come down. In fact, since this committee took this under active consideration, the prices have come from 150 to 100. We can argue about what's the cause and effect, but it certainly was contemporaneous and had a big impact.

□ 1245

But what is happening in our economy is that basic institutions that have served us well, mortgages for homeowners, or the futures trading for farmers and others, have been hijacked for other reasons, not just to help a person buy a home or help a farmer have a price, but to become a commodity itself used by Wall Street to speculate for financial manipulation and market reasons.

That is not what these institutions are about, and the Congress has a fundamental decision before it. Are we

going to stand up for American farmers and American consumers and provide protection for the institutions that they absolutely need, we need, or are we going to allow them to continue to be hijacked by Wall Street for other reasons?

Mr. GOODLATTE. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Kansas (Mr. MORAN), the ranking Republican member on the subcommittee with jurisdiction over commodity futures trading.

Mr. MORAN of Kansas. Mr. Speaker, I rise today, in contrast to my colleagues on the committee and subcommittee, in opposition to H.R. 6604. It is an awkward position to be in because I spend more time and have a greater closer working relationship with the three members of the House of Representatives who are here today speaking from the Agriculture Committee in favor of this legislation than probably any group of Members of Congress since I came to Congress.

But I rise today in opposition to this legislation for the same reason that I did nearly a month and a half ago. This bill will do little, if anything, to bring down the price of energy. In fact, certain provisions of this bill could likely lead to less market transparency and increased market volatility. Unlike one and a half months ago, however, Congress has some data provided by the CFTC. The data shows that the commodity markets were not broken, and while crude oil went from \$96 per barrel to \$146 per barrel over the first 6 months of this year, the aggregate long position of index traders and swap dealers fell by 11 percent or 45,000 contracts.

As I stated back in July, I favor changes in the Commodities Exchange Act that will improve market transparency, oversight and enforcement activities. In fact, in working with the CFTC and others, I have introduced legislation, H.R. 6921, that I believe will enhance transparency in the futures markets without disrupting the markets. Based on consensus recommendations of the CFTC, the bill that I have introduced codifies the recommendations of the commission that they suggested would benefit from codification that were presented to our committee. That hearing has been referenced. It just occurred on September 11.

What my bill does not do and what this bill does, this bill on the House floor, is redefine a bona fide hedging transaction to prohibit the ability of legitimate market participants from utilizing the market, push domestic traders overseas where CFTC will have little oversight and contains cumbersome and contradictory requirements that will overburden the CFTC staff and lead to little useful information.

In July I said this bill was put together quickly, in fact I thought too quickly and went too far. The information provided by the CFTC at our hear-

ing on September 11 in my opinion confirmed that fact. Given that this bill was defeated on suspension and it includes provisions that go beyond the scope of the commission's recommendations, one would think that we would now take that bill back to committee and craft a more precise product rather than bringing the same product to the House floor. We asked for more information, we got more information, and yet the crux of this legislation didn't change.

A well-crafted bill needs to provide additional transparency, oversight authority, and not exclude legitimate market participants or reduce market liquidity. One of the problems of this legislation, as I said, is it will reduce market transparency. This is because certain provisions, like the provision dealing with the foreign boards of trade that seek direct access to U.S. markets, will push traders to foreign markets. Rather than giving the CFTC a better picture of markets to prevent fraud and manipulation, it will actually restrict the ability of the CFTC to see that market.

In addition, the bill errantly attempts to define a "bona fide hedging transaction." In its current form, section 8 will exclude legitimate commercial market participants from properly hedging risk. This will cause immediate disruption of the markets as the legitimate market participants are forced out of the market. It will reduce market liquidity and increase price volatility.

I am also concerned with provisions in this bill that require routine reporting and potential use of position limits in over-the-counter transactions that are "fungible." "Fungible" is not defined and suggests that a significant amount of CFTC transactions would be implicated by this section.

I am especially concerned about the authority of section 14 which gives the CFTC the opportunity to impose position limits on over-the-counter trades. This is a problem because the OTC trades are nonstandardized contracts. Unlike standardized contracts traded on designated contract markets, OTC trades are often tailored to manage a specific company's risk in a market. And unlike a contract traded on a designated contract market, an OTC trade is made with a single counterparty. On a designated contract market, unlike many OTC trades, a clearinghouse is the counterparty to every contract and can facilitate liquidation of a position. In an OTC trade, if one party is in violation of a position limit and the other is not, liquidation of a position will adversely affect the party that is in compliance, again causing greater market volatility and increased cash prices of a commodity because of a disruption in commercial market participant's risk management strategy.

I think this bill has some technical problems that will harm price discovery and risk management strategies. It should be returned to com-

mittee where we address, again, the root cause of high energy prices.

The goal must be to do no harm, but this goal is not met in this legislation.

GENERAL LEAVE

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6604.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PETERSON of Minnesota. Mr. Speaker, we saw the information, and some of us became convinced all the more that the bill we have put on the floor is the appropriate bill.

I now yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), one of our leaders and a leader on this issue.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of this legislation that will bring greater transparency and greater accountability to the commodity futures markets, and I want to commend committee Chairman PETERSON, Ranking Member GOODLATTE, and subcommittee Chairman BOB ETHERIDGE for coming together with the committee and others to pass and develop this bipartisan legislation which I hope we will all pass. I also want to thank and commend ROSA DELAURO, JOHN LARSON, and BART STUPAK for their leadership on this issue.

If there is one thing we should have all learned over the last couple weeks given the turmoil in our financial markets, it is that we need greater transparency and greater accountability. These are not just abstract good government ideals, these are tools that people need for responsible regulation of our financial markets, including our futures markets. They are absolutely necessary if we want to make sure that the CFTC and our regulators have the information that they need, especially when you are talking about the great impact that these things can have on our economy, as we are seeing every day on Wall Street.

The old adage that "what you don't know won't hurt you" is no longer a tenable position for this Congress. We need the information. With this legislation, for the first time, we will shine a light on the so-called dark markets and empower the CFTC to take corrective action where they find problems.

It provides for stronger position limits for energy commodities traded on regulated exchanges while ensuring that our futures markets continue to have the liquidity they need to function properly. No one has said there is not an important role for our futures markets, it is making sure that they are regulated properly to protect consumers and investors.

This bill will also rein in excessive speculation by ensuring that hedging exemptions are granted only to commercial market participants seeking to

hedge their actual physical risk, rather than to speculators facing only financial risk.

Mr. MORAN mentioned the recent report by the CFTC, and I would point out there was a recommendation they made which really follows a provision that we make in this bill, and that is to make sure that we, with respect to the commodity swap dealers and index traders, that we remove the swap dealers from the commercial category of market participants. We do that in this bill.

Additionally, in recognition of the numerous instances where the same CFTC staff report found traders effectively circumventing position limits they would ordinarily face on regulated exchanges by going to the over-the-counter market, in some cases exceeding those established positions by substantial amounts, the CFTC report proposes requiring swap dealers to certify that they are noncommercial clients that do not exceed established position limits with their over-the-counter trades. We do that here.

Mr. Speaker, we have a fundamental choice here. It is a choice between transparency and keeping things hidden behind the curtain. It is a choice between whether we want our futures markets to reflect the fundamentals of supply and demand, or whether we want our futures markets to be continuously whipsawed by massive inflows of speculative money.

We have a job to do. We have seen in recent days and weeks on Wall Street the effects of taking our eye off the ball and not providing regulators with the tools they need and them not following through with what they have. Let's make sure that we don't make that mistake in the commodities futures trading market. We have already seen the impact of not giving those complete tools. Let's make sure that those folks have what they need and are empowered to do the job on behalf of the American public. I thank the committee for their work on this.

Mr. GOODLATTE. Mr. Speaker, I am pleased to recognize the gentleman from Connecticut (Mr. SHAYS) for such time as he may consume.

Mr. SHAYS. Mr. Speaker, I thank my colleague for giving me this time to speak on what I think is important legislation.

I believe the Commodity Futures Trading Commission, the CFTC, must investigate speculation in the energy futures market and respond to any manipulation in price distortions.

While opinion is not unanimous, I believe the increased positions of institutional investors, such as pension funds and endowments and sovereign funds in this market are contributing to the escalating price of oil at an alarming rate. The CFTC should level the playing field and apply position limits to the institutional investors, such as the New York Mercantile Exchange has required of its members for years.

Investigating market manipulation will give us temporary relief, but the

high gas prices of today compel us to confront the inconvenient truth of our energy needs in other ways. We clearly need to increase domestic energy production, including solar, wind, geothermal, biofuel, nuclear power; and yes, oil and natural gas. It is truly insane to transfer \$700 billion of our wealth, our income, to other nations, most of whom are, frankly, unfriendly to us.

Alongside increased conservation and energy efficiency, I believe we must drill for oil and natural gas miles off our coast in an environmentally responsible way, and build new nuclear power plants. Bringing more supply online will send a strong signal to the market and help bring down high energy costs even in the short term. The rest of the world needs to know that the United States is serious about energy.

Mr. ETHERIDGE. We have just a couple more speakers we are waiting on, but in the meantime I would take this opportunity, Mr. Speaker, to just share with my colleagues that this bill has substantial support from the Air Transportation Association, the Air Line Pilots Association, Tyson Foods, Sierra Club, Environmental America, League of Conservation Voters, the Wilderness Society, National Chicken Council, National Corn Growers Association, National Cotton Council, National Farmer Unions, National Grains, National Milk Producers Federation, National Sorghum Producers, Southern Cotton Shippers Association, Southern Peanut Farmers Association, Southwest Council of Agriculture, Texas Cotton Association, United Egg Producers, United States Cattlemen Association, U.S. Rice Producers Association, U.S. Rice Federation, Western Cotton Shippers, Western Peanut Growers Association, Women Involved in Farm Economics, the American Agriculture Movement, American Association of Crop Insurance, American Corn Growers, American Cotton Shippers, the Atlantic Cotton Association, the Minnesota Corn Growers Association, National Association of State Departments of Agriculture, and I think at the end of the day, Mr. Speaker, the American people.

□ 1300

The American people only ask of us in this body to do what's right and be fair. I think they want markets to work. They want them to work fairly because they don't want them working against us. Today we have an opportunity to make these markets, once again, work for the American people.

We heard testimony in our committee of grain elevators who were caught in the wedge. When the prices ran so high, they were unable to get financing to be able to assist farmers. When you're looking at finding a real price through the futures, that's what they're supposed to do. But you can't do it when the markets aren't working the way they should work.

Mr. Speaker, if the gentleman from Virginia has any other speakers, I would be willing for him to call his speakers while I wait for a couple of folks here.

Mr. GOODLATTE. Will the gentleman yield?

Mr. ETHERIDGE. I would be happy to yield.

Mr. GOODLATTE. I have only myself to close. If the gentleman is thinking that we're close to closing, then I am prepared to do that.

Mr. ETHERIDGE. I am prepared to close, unless we get one more speaker. If you will go ahead and proceed, and then as soon as our speaker comes, I will let them do it and I'll close.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

As I say, I appreciate working with the gentleman from North Carolina and the gentleman from Minnesota on this legislation.

I think this legislation gives to the Commodity Futures Trading Commission the necessary tools for appropriate oversight and enforcement. I think this is a light touch. I do not think that it interferes in the marketplace.

And I think that the evidence that was brought forth by the recent report submitted by the CFTC is very strong evidence that the marketplace is working very well, but it needs constant vigilance. We can see that with the difficulties that are being experienced around the country and around the world in other types of markets.

Certainly in the mortgage area and other financial areas, the risk of not giving the regulatory agencies the appropriate authority to do oversight and to act is certainly a grave concern. But I think we are doing that in this area. I think the CFTC is doing that in this area, and I think this legislation will help to enhance their ability to remain vigilant in making sure that this market operates properly; that there is not excessive speculation; that there is not manipulation of this marketplace.

Having said all of that, I will say, once again, that this is not the issue that we should be debating here today. I support this legislation. I will vote for it. But we deserve an opportunity to vote on what the American people want. And poll after poll have shown that they want to see a real energy act. They know that the problem with the high price of energy is the lack of supply. They know the problem with the disruption of our energy supply that just occurred due to Hurricane Ike is because we have not enough refinery capacity in this country, and that it is not distributed around the United States.

The American Energy Act provides for using abandoned U.S. military bases to build new refineries. We haven't built a new one in more than 30 years. And the bill that was brought to the floor of the House by the Democratic leadership earlier this week did absolutely nothing in that area.

We're now importing refined petroleum products, paying a higher price. We're seeing more and more billions of dollars going out of this country every week, costing America jobs, harming our economy because we are so dependent upon foreign oil, at the same time that we have huge resources, not just oil, but natural gas, coal, the potential of new nuclear power, as well as a whole array of alternative sources of energy like wind and solar and geothermal and biomass and hydrogen. All of these things are available to us if we will take the leadership here in this Congress and get the American Government out of the way of developing these new sources of energy. But, instead of doing that, we bring a no drill, no energy bill to the floor that was clearly a sham, a hoax on the American people.

We have abundant resources in oil. The estimates are that we could be producing 3 to 4 million barrels of oil from the Outer Continental Shelf. The bill that was brought forth on the floor of the House shuts off 80 to 90 percent of that oil from access to the marketplace because they don't allow drilling.

I introduced legislation, as have other people, to allow drilling off the coast of our respective States. I've introduced one for Virginia that has strong support in our delegation. And yet the legislation that was brought forward earlier this week does not provide any royalties for the States. So our Governor, Democratic Governor of the State has already indicated that if the State can't benefit from deriving royalties that can be used for developing better transportation systems, alternative forms of energy, public education and so on, if it can't be used for that, he's not interested in participating. So that bill was meaningless. It was a sham.

We need to bring forth real legislation like the American Energy Act that shares those royalties with the States so that they're able to do that.

It's estimated that we could have a million barrels of oil a day coming down the pipeline that already exists in Canada, if we would drill for oil in the Arctic National Wildlife Refuge, an area the size of the State of South Carolina; and the area that would be utilized for drilling for oil is about 2,000 acres, like a postage stamp on a football field. That's how much of this land of this huge area would be utilized. The people of Alaska support it. The Governor of Alaska, Sarah Palin, supports it.

Are we doing that?

No. Wouldn't even bring it up. Wouldn't bring up a bill that we could even offer an amendment to to allow for that to take place.

Meanwhile, the oil that comes from the Prudhoe Bay area is declining. It was 2.1 million barrels a day at its peak. It's now down to 700,000 barrels a day. We're told that when it gets down to 300,000 barrels a day, we'll have to close down the pipeline because it's not

economically efficient to transport the oil.

At the same time we could be adding a million barrels of oil a day for an estimated 30 years, we're at risk of losing not just that million, but an additional 300,000 barrels of oil a day, about 6 percent of the consumption in this country every day for 30 years.

And then look at the oil shale available in the Rocky Mountain States. Here we have an estimated somewhere between 800 billion and 2 trillion barrels of oil that can be extracted from that oil shale, much like the Canadians are extracting oil from tar sands in Canada. So while they're doing that in Canada, this Congress last year passed legislation that prohibits the United States Government from buying that oil from Canada.

And then in terms of our own reserves which are huge, to just give you an idea, since the first oil well was drilled in Pennsylvania in 1859, until today, the entire world has used about 1 trillion barrels of oil. And yet we're leaving untapped, because legislation was not brought forward to address it, untapped, 800 billion to 2 trillion barrels of oil available to us in that oil shale deposits in the Rocky Mountain States. It's a shame, Mr. Speaker, that we're not doing that today.

Coal reserves. We have more coal reserves than any other nation in the world. New technology exists to convert it to liquid that can be used for transportation purposes. We have new technology that is cleaner burning coal, and yet we're not doing anything in the legislation that was offered here earlier this week to tap into that.

Nuclear power. It's been correctly noted here today that while the United States still derives 20 percent of its electricity from nuclear power, France today gets close to 80 percent of its electricity from nuclear power. They continue to develop that technology. We haven't, for 30 years. We haven't for 30 years built a single new nuclear power plant. There are now some on the drawing boards, thanks to legislation that the Congress adopted 2 years ago to incentivize that.

But because of regulations that stand in the way, we will not have the opportunity to see a single kilowatt hour of electricity generated from those new nuclear power plants for at least 10 years. Why?

Because this Democratic leadership would not bring up legislation like the American Energy Act that enables that.

The same thing with the development of alternative fuels like wind and solar and geothermal and hydrogen and biomass. What do they do to incentivize? They increase taxes. That's the last thing we need right now when the American economy is in the condition that it's in, to have tax increases to pay for something that we could pay for with the royalties that would come from drilling offshore, from drilling in Alaska, from tapping

into that oil shale, from drilling for natural gas where the largest deposit known in the world is in the Gulf of Mexico, and yet we can't have access to it.

There's natural gas all down the eastern coast of the United States. We can't have access to that. Why? Because they won't share the royalties with the States and it won't happen. And they've kept some of these areas off limits in their legislation as well.

This is a travesty, Mr. Speaker. We should be having the American Energy Act on the floor today. That's what the American people want. That's what will create millions of American jobs in creating this new energy, and in revitalizing our industry and revitalizing manufacturing and strengthening agricultural production in this country and strengthening all of American commerce, making us more competitive with the rest of the world if we would simply seek to be energy independent, which we could accomplish in 10 or 15 years if the leadership of this Congress would simply bring forward legislation that would enable us to empower America to have real energy independence and real American jobs and save this economy.

Mr. Speaker, I reserve the balance of my time.

Mr. ETHERIDGE. Mr. Speaker, I ask for a time check.

The SPEAKER pro tempore. The gentleman has 14½ minutes remaining.

Mr. ETHERIDGE. Mr. Speaker, I yield 4 minutes to the gentlelady from Connecticut, someone who has worked hard in this area, Representative DELAURO.

Ms. DELAURO. Mr. Speaker, our economy is struggling. We know the price at the gas pump is killing middle class families trying to make ends meet, farmers harvesting their crops, truckers traveling our highways.

I rise in support of this bill. It's an important first step to address the concerns of millions of Americans who fear something more than just supply and demand is at play and our energy markets are not operating as they should.

I want to commend Chairman PETERSON for being so open and available as he worked with myself and my colleagues, Congressmen STUPAK, LARSON and VAN HOLLEN throughout the summer to make this bill a priority and to bring transparency back to our futures market.

This is a complex issue. Our responsibility as a Congress and the Nation is serious, however. Excessive speculation occurs when the market price for a given commodity no longer accurately reflects the forces of supply and demand. Today we can point to loopholes and exemptions that have allowed interested parties with special access to information to improperly speculate on the price of energy without oversight. That excessive speculation has contributed to rising gas prices.

This bill begins to confront that speculation, providing the Commodity



Futures Trading Commission new authority to gather information from currently unregulated over-the-counter energy transactions. And if it finds improper speculation is driving up the prices, the agency has the authority then to act to reduce the speculation. This is new, it's long overdue authority that will shed light on once hidden markets.

The bill also makes sure we know who is participating in the market to what extent by requiring detailed trading information from index traders and swap dealers. It works to make sure hedge exemptions are not exploited, making clear only legitimate hedgers may use them.

This vote follows the report last week from the Commodity Futures Trading Commission which suggested the need for a legislative fix to restore balance to the energy marketplace, recommending a significant increase in the transparency of energy markets, more careful analysis of data, and even a reclassification of swap dealers.

A day earlier, hedge fund managers Michael Masters and Adam White released their own report pointing to institutional investors pouring money into energy futures and contributing to rising prices. Later, by pulling those funds out of the market, the rush for the exits helped bring the prices down. And this decline may continue, according to yesterday's Wall Street Journal which reported, and I quote, "Evaporating access to credit, fears of an economic washout are taking a toll on oil prices, forcing speculators using borrowed money out of the market."

Whether prices are up or down, the bottom line that growing volatility, a growing disconnect between where the market is and where supply and demand would normally put it.

We have a responsibility to protect consumers from excessive speculation. We can no longer allow random speculators free rein to play these games while our entire economy hangs in the balance. It is time to empower the Commodity Futures Trading Commission to do its regulatory job and provide the kind of relief that we need to get Americans who are in great need in this faltering economy, we need to provide relief to middle class Americans and American taxpayers, and not provide relief or profit for those who are already taking the profits and making a fortune with them.

Let's pass this bill.

□ 1315

Mr. GOODLATTE. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Thank you for yielding the time.

Congratulations to you, Mr. GOODLATTE and Chairman PETERSON, for this bill. I voted for it last time, and I will vote for it again today.

But the difficulty is that we find ourselves with about 5 days left in this 110th Congress. There was a famous

emperor of Rome, Nero, who fiddled while Rome burned. I just want to talk a little bit about what we've been doing for 2 years since gas prices went up and the Democratic majority took over in January.

When they took over in January, gas was at \$2.20 a gallon which was high, but people still said, "Okay. I can still get by on that." But Congress, rather than dealing with what was going to begin to happen, on that day, January 29, we congratulated the University of California, Santa Barbara soccer team for doing swell stuff. I like soccer. I bet everybody that's on that team, their moms and dads, are proud of them. But when gas is going up, what are we doing that for?

Next one, February 6, it's gone up 60 cents a gallon. February 6, 2008, we declare National Passport Month here on the House floor. That's the most important issue in America, apparently, to the majority.

It passed \$3 for the first time in my lifetime, and we're commending another soccer team, the Houston Dynamos. I bet they're a great soccer team, too, but gas is \$3. The most important issue that we're debating on the floor of the House of Representatives is congratulating the Houston Dynamos.

Then \$3.77. That should have gotten our attention. So what did they debate? Did we debate this bill or an energy policy? No. We declared National Train Day on that particular day with gas at \$3.77.

Goes up on May 20, \$3.84. On that particular day, I gotta tell you, we passed—and I don't even know what these are—Great Cats and Rare Canids Day. Maybe, Mr. Speaker, you know what a canid is. Somebody told me maybe it's a dog. But we're not debating energy. Our constituents are paying \$3.84 a gallon for the first time in their lives, and we're recognizing great cats and canids.

Well, surely at \$4 a gallon we have America's attention, the mighty House of Representatives, the new majority is going to debate energy. Nope. We declare the International Year of Sanitation.

I gotta tell you, Mr. Speaker, then it hits \$4.14 on June 17, 2008. I bet we're going to debate energy now. I bet we're going to do this bill. No. We did the Monkey Safety Act. Folks, I love monkeys. They're cute, they're cuddly, they're everything else; but for crying out loud, when it costs \$80 to fill up your gas tank, the most important issue in the United States of America is not the Monkey Safety Act.

It's time for this majority to quit monkeying around with our gas prices. It's no coincidence, Mr. Speaker, that at the same time we're doing the Monkey Safety Act, unemployment in this country goes from a little over 4½ percent to where it is today, over 6 percent.

Quit fooling around. Quit horsing around. Some people say, Well, this chart doesn't go far enough. We also

did some other important things after we got back. We declared National Watermelon Month, and we also indicated that we were going to recognize Bo Diddley. He's a great guy. I'm all for honoring him. But it's time that we tell our friends on the other side, You haven't done diddley about oil and gas.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

As I said when we first considered this bill in July, this is a great bipartisan effort that Mr. GOODLATTE and I have worked on. This bill addresses the realization that the trading volume and the futures market for physical commodities has increased dramatically in recent years. This increase includes vast amounts of capital from parties that are not traditional futures market participants, and this has been my concern, these participants, such as the index funds, pension funds, and some hedge funds.

The presence of this additional capital has raised concerns in our committee that the resulting futures market prices may not accurately represent the forces of supply and demand, nor may they fundamentally support at the local selling points where those in the producing and selling of the commodities are doing business.

Mr. Speaker, this debate is more than just the presence of speculators in the futures market. As I said on the floor in July, this lack of convergence—and this is one of the big problems that I am concerned about—the lack of convergence that we're getting in some of these agricultural markets where we have a \$2.40 difference between the futures price and the actual cash price of wheat in some of our markets, these are the things that really concerns us on the committee.

So we have put forward transparency so that we know what's going on in these markets, and we're giving the authority for some position limits on these nontraditional investments that were created that really have nothing to do with the underlying commodity market. And in my opinion, the more I learn about this, I think this has some effect on why we're not getting convergence in those markets.

We believe this is a modest step that addresses the concerns that have been identified to the committee, and we're going to continue to work on this. We're going to continue to get information from the CFTC and other sources as to what is going on in these markets, and we will see how this progresses through this Congress.

But I can tell people if this is not resolved in this Congress, we will take this up in the next Congress to address these issues.

With that, Mr. Speaker, I will reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I have no further speakers. I will reserve the balance of my time.

Mr. PETERSON of Minnesota. Mr. Speaker, I am now pleased to recognize

the vice chairman of our caucus and the leader on this issue, the gentleman from Connecticut (Mr. LARSON) for 2 minutes.

Mr. LARSON of Connecticut. Thank you, Mr. Chairman.

I want to commend Chairman PETERSON for the extraordinary work that he's done in this area and the sensitive manner in which he's approached a very oftentimes complex issue.

I'm especially pleased that the Ag Committee adopted a provision that addressed the Inspector General and elevating that Inspector General to independent status. I understand why it had to be removed. I'm pleased, though, that Mr. WAXMAN has indicated that we intend to bring the bill to the floor under suspension because of the bipartisan agreement that, especially in this day and age, the need to make sure that we have referees on the field in lieu of everything that's happening to guarantee that we don't have the foxes guarding the henhouse but that we provide an opportunity for independent overview.

Lastly, I would like to close by saying this. Again, my thanks to the committee and the chairman. But it's voices outside this Chamber; and, specifically, I want to credit John Mitchell, former Republican mayor of South Windsor, Connecticut, for coming to me with the independent petroleum dealers talking about actually what happens to people because of speculation, talking about women turning over their entire Social Security check to pay for their home heating oil and the system being broken and that the issues of supply and demand not working.

These came from main street businesses who aren't in the Beltway, who care deeply about the citizens they serve and represent. I want to commend them and this committee for its sensitivity in passing a comprehensive step—not a silver bullet, not a panacea—but an appropriate step towards restoring what we need in terms of the oversight and review that must go on to restore integrity in the marketplace.

I thank the chairman again for the opportunity.

Mr. GOODLATTE. Mr. Speaker, I am prepared to close if the gentleman from Minnesota is.

I would again thank the gentleman for his hard work on this legislation. This is not legislation that this committee has in any way taken lightly over the past several years. We've conducted oversight into the activities of the Commodity Futures Trading Commission and the futures markets. We've done it in a bipartisan way. We have watched closely to make sure that the commission has the resources it needs to do its job.

We found some areas where we think it could use some additional help in terms of personnel, in terms of the authority to gather information, and in a few instances in giving them additional

authority to act if they find that there are indicators in the marketplace that it's not functioning properly, that there is excessive speculation and that there is manipulation; and this legislation does that, and I support that. Although I do have some reservations about the legislation, I think it is legislation that deserves to be passed into law.

However, I will say it once again that this is not the legislation that the American people want and expect to see us debating on the floor of the House today. They want real energy legislation, not the sham bill that was offered 2 days ago, but legislation that would allow for real drilling for American oil and natural gas and would allow for utilizing new clean-burning coal technologies, that would expand our nuclear power generation of electricity, that would expand our alternative forms of energy.

And as we move in that direction, utilizing the resources that are created by producing American energy to accomplish more in the areas of wind and solar and geothermal and hydrogen and biomass and tidal energy production and a whole array of others, that we are simply neglecting because this Congress, the Democratic leadership, refuses to bring to the floor for a vote the American Energy Act, which would command very, very overwhelming bipartisan support if it were brought to the floor for a vote.

But it's more than just what consumers are paying at the gas pump. It's more than what they're worried about having to pay to fill their tanks with oil or kerosene to heat their homes this winter or their natural gas bills or their electric bills that are going up and up. It's more than that. It's about the American economy, and it's about American jobs.

This legislation would create millions of American jobs, not only in energy production but also in manufacturing and agriculture, in a whole host of areas that would make America more confident, would make America more competitive with the rest of the world. We need this legislation. We need it badly. It will be a shame, Mr. Speaker, if we leave town without passing the American Energy Act.

I yield back the balance of my time.

Mr. PETERSON of Minnesota. Mr. Speaker, again I want to thank my good friend, Mr. GOODLATTE, for the great work he did with us on this bill. Like any bill, it's not perfect but it's, I think, a step in the right direction. We take very seriously our responsibility and the jurisdiction that we have in making sure that the CFTC is doing the proper oversight, the proper job, and that we're getting convergence of these markets so that they work for people that need them on a day-to-day basis.

This is almost the exact same bill that received 275 votes on a bipartisan basis on July 30. At one time we were up to 291 votes. At one time we had

two-thirds, but it eroded away. I'm confident today that we will have the support to move this bill through the House, and hopefully our friends in the other body will move because I believe we have uncovered some things that need to be addressed in legislation, and we are doing that in this legislation.

With that, Mr. Speaker, I ask every-body to support the bill.

Mr. DINGELL. Mr. Speaker, H.R. 6604, the "Commodity Markets Transparency and Accountability Act" will help restore integrity to commodity futures markets. Lax regulation has allowed prices to become divorced from fundamental supply and demand. Lax regulation has allowed speculative bubbles to form in food and energy prices. And lax regulation has caused billions of dollars in damage to businesses and consumers.

Oil prices doubled from \$72 per barrel on July 11, 2007, to \$145 on July 11, 2008, even though supply and demand was fundamentally unchanged. While excess capacity was reduced and the dollar had dropped, there were no oil shortages, and inventories were ample. Fundamentals alone do not explain a 100 percent price increase.

What has changed over the past few years is that oil has been transformed from a basic commodity into a financial asset, and traded for its speculative value by institutional investors who want to diversify portfolios, hedge the dollar, or make a fast buck. The Washington Post reports that speculators control as much as 81 percent of the futures market, up from an estimated 37 percent in 2000.

Investment banks and futures exchanges claim that institutional investors are providing badly needed liquidity to the futures market, that futures prices reflect supply and demand, and Congress should not turn them into a scapegoat.

Wall Street's commodity brokers told their investors privately, however, that supply and demand did not explain the doubling of oil prices.

Just yesterday, Michael Cembalest, J.P. Morgan's global chief investment officer, wrote:

the Peak Oil crowd promoting crude oil . . . at \$200 should concede what we've been saying: there was an enormous amount of speculation pent up in energy markets (e.g., an 8-fold increase in bank OTC oil derivative exposure in the last 3 years), and it wasn't just the supply-demand equation. Oil will rise again, and we need solutions to energy supplies, but \$140 in July 2008 was ridiculous.

Yet on the same day, Blythe Masters, Managing Director and Head of Global Commodities for J.P. Morgan submitted testimony before the Senate Energy Committee stating:

we fundamentally believe that high energy prices are a result of supply and demand, not excessive speculation.

Lehman Brothers told its investors in May that it is seeing "the classic ingredients of an asset bubble" in oil. It linked it to an inflow of \$90 billion in commodity index investments.

The cost to our economy from excessive speculation is destructive.

For every penny increase in the price of a gallon of gasoline, consumer costs jump by \$1 billion a year, according to Moody'sEconomy.com. The run-up since last September has added nearly \$1 per gallon, costing consumers \$100 billion absorbing the

economic stimulus package enacted earlier this year.

The Industrial Energy Consumers indicate that natural gas consumers paid an extra \$40.4 billion this year already. They support this bill.

The airlines have lost 36,000 jobs and re-tired 746 planes this year, while eliminating 635 routes, due to jet fuel prices. They support this bill.

Petroleum marketers have seen oil prices come unhinged from supply and demand. They support this bill.

Some institutional investors are now starting to unwind their massive positions. Nearly 127 million barrels of oil futures valued at \$40 billion were liquidated by institutional investors between July 15, 2008, and September 2, 2008, according to a recent analysis of the CFTC's public data. Oil futures prices plunged \$53 per barrel to \$92 in only two months, yet fundamental supply and demand was not changed materially in the past 60 days.

What did change in mid July is that Congress in both Houses took up legislation to rein in excessive speculation—particularly in the unregulated dark markets—which may have spurred some speculators to get out early.

The central issue is whether pension funds, endowments, and sovereign wealth funds should be allowed to hijack commodity markets and set oil and food prices, or whether consumers and producers should set prices based on supply and demand. If speculators can drive prices back up to \$140, they can really turn the lights out on the U.S. economy.

Some may argue that given the crisis in financial markets, this is not the time to start regulating Wall Street. Beginning with the repeal of the Glass-Steagall Act, however, deregulation has allowed recklessness to compromise our entire financial system.

The recent collapse of Fannie Mae, Freddie Mac, Bear Stearns, AIG, and Lehman Brothers are a product of lax regulation which has led to systemic risk for the entire financial system.

This legislation puts a cop on the beat and codifies some of the transparency measures recently recommended by the CFTC. I commend Chairman PETERSON and ETHERIDGE, as well as Representatives STUPAK, VAN HOLLEN, DELAURO, and LARSON for their leadership on forging this bill and urge its passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in today in support of the H.R. 6604, the Commodity Markets Transparency and Accountability Act of 2008, introduced by Congressman PETERSON of Minnesota.

BACKGROUND ON H.R. 6604

This legislation will bring greater transparency to commodity and futures markets. It will improve price discovery and risk mitigation functions working to benefit producers, processors and consumers. This bill toughens position limits on oil and other futures markets as a way to prevent potential price distortions caused by excessive speculative trading. H.R. 6604 extends Commodity Futures Trading Commission, CFTC, oversight to previously exempt over-the-counter markets, and it calls for new full-time CFTC staff to improve enforcement, to prevent manipulation, and to prosecute fraud.

Closes the "London Loophole"—Foreign boards of trade that offer electronic access to U.S. traders for energy or agricultural com-

modities settled by physical delivery in the U.S. are not currently subjected by statute to the same speculative position limits traders are subject to on domestic exchanges.

H.R. 6604 requires foreign boards of trade to adopt speculative position limits on these contracts similar to exchanges under U.S. regulation and to share large trader reporting data with the CFTC.

Foreign boards of trade must have the authority to require traders to limit, reduce, or liquidate a position in order to prevent excessive speculation or price distortion.

Increases Transparency in Dark Markets—H.R. 6604 requires the CFTC to get a complete picture of the swaps markets by defining and classifying index traders and swap dealers, and subjecting them to strict reporting and recordkeeping requirements. Position reporting will become mandatory for over-the-counter trading in agricultural and energy contracts, similar to on-exchange contracts.

The commission will also disaggregate and publicly provide data to examine the true extent of index and other passive fund participation in futures markets for energy and agricultural products.

Speculative Position Limits—Currently, speculative position limits are set by regulated exchanges for energy contracts and the CFTC for some agricultural futures contracts. H.R. 6604 requires the CFTC to set position limits for all energy and agricultural futures markets. This bill will limit traders' ability to amass huge positions that would otherwise allow them to distort the market.

Restrict Hedge Exemptions to Bona Fide Hedgers—H.R. 6604 will reform the process for granting hedge exemptions from position limits. Exemptions would be available only for bona fide market participants who actually engage in the commercial use, production, or distribution of the physical commodity. While position limits are currently granted to bona fide hedgers, who are using the futures markets to offset their price risk, the CFTC has also granted hedge exemptions to swaps dealers who are not taking delivery of the physical commodity. This loophole has allowed institutional investors to take, through a series of trades, larger positions, than they would be able to take if they traded on the exchanges directly.

Strengthens CFTC Enforcement Resources—The CFTC was created in 1974 as the chief regulator of futures and options markets. It does this with a full-time enforcement staff that monitors large trader positions, prevents scams, and prosecutes and prevents market manipulation. Trading volume has increased 8,000 percent since the CFTC was created, but the agency is operating at its lowest staffing levels since 1974. H.R. 6604 calls for a minimum of 100 full-time CFTC employees to enforce manipulation and fraud in the commodities markets.

#### CONCLUSION

Mr. Speaker I urge my colleagues on both sides of the aisle to support H.R. 6604. I fully support Representative PETERSON and the Agriculture Committee.

Mr. PETERSON of Minnesota. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1449, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1330

#### MOTION TO RECOMMIT

Mr. MORAN of Kansas. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MORAN of Kansas. In its current form, yes, sir.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Moran of Kansas moves to recommit the bill H.R. 6604 to the Committee on Agriculture with instructions to report the bill back to the House promptly with the following amendment:

At the end of the bill, add the following:

#### SEC. 16. EFFECTIVE DATE.

The provisions in this bill shall become effective only after the Commodity Futures Trading Commission determines that the imposition of any position limits that would be authorized by this Act or the amendments made by this Act for any agreement, contract or transaction involving a pension fund would not result in an equity loss for any party to an agreement, contract or transaction as a direct result of the imposition of any such position limits.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas is recognized for 5 minutes in support of his motion.

Mr. MORAN of Kansas. Mr. Speaker, as I indicated in my earlier comments here on the House floor concerning this legislation, I think our goal has been to make certain that we do no harm, and I have concerns that we will do harm with the legislation that's before us. And by harm, I don't mean harm to the industry, not speculators, not swap dealers, but harm to the consumers, harm to the American people, harm to the United States economy.

One of those concerns we have is concern with those who have invested their retirement in pension funds. And so this motion to recommit simply is a requirement that CFTC, before they impose those position limitations, would make certain, would certify that the imposition of those payment limitations would not reduce the value of a person's pension fund.

The effort here is to make certain that no harm is caused, a goal I'm sure we all share, and in particular, make certain that we know what we are doing does not damage the value of the American people's retirement accounts.

Mr. Speaker, I yield to the gentleman from Virginia.

Mr. GOODLATTE. I thank the gentleman for yielding, and I would join him in supporting this motion to recommit because it would help to assure a great many Members on our side of the aisle that the concerns raised about the legislation that somehow

this might prove to be disruptive of the markets would indeed not occur. It would simply require that the CFTC examine that and certify that they do not believe that that would be the case, and then the legislation could proceed to be fully implemented, and I think this is a wise consideration.

The evidence that we have before us from the findings of a recent CFTC report is that these markets are functioning well. I think this legislation will enable them to continue to function well, but it does not, I think, in any way hurt and could, in fact, indeed enhance the operation of CFTC for them to require to make this investigation and make this certification that people, millions, tens of millions of Americans whose pension funds may include some investment in commodity futures markets will be unaffected by the legislation in terms of empowering the CFTC to conduct further oversight and to take further action as is allowed by the legislation.

Again, I would point out that the best thing we can do to secure the pension funds of Americans would be to create more energy in this country that would meet the supply demands that are necessary, would help to hold down the cost of oil and natural gas and electricity and everything else that drives this economy, both in terms of our transportation, our manufacturing, the heating of our homes. All of these things would be greater enhanced if we would have the American Energy Act brought before us.

Unfortunately, I believe the American Energy Act would not be a germane motion to recommit. Otherwise, we'd be offering it right now, but I believe the gentleman's alternative is a good one, and I support it.

Mr. MORAN of Kansas. Mr. Speaker, again, I would ask the House of Representatives to approve our motion to recommit.

Again, as the gentleman from Virginia says, we believe there's a better policy that hasn't even been debated upon the House floor in dealing with energy prices than the bill that's before us today. That's the American Energy Act. We wish that motion could be made in order today so that we could have a clear debate and vote upon the issue that is compelling to the American people and damaging to the United States economy.

In lieu of that, we would ask that we take this additional step to make certain no unintended consequences occur and we protect the retirement accounts, the pension accounts of Americans.

I yield back my time.

Mr. PETERSON of Minnesota. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. PETERSON of Minnesota. Mr. Speaker, first of all, we were delayed in getting something done with this bill back in July when, at one time, we had

the votes to pass this under suspension, and then the votes eroded away. This is going to delay the process again. And beyond delay because it says "promptly," it will have the effect of us not being able to move this bill in the House before we're out of here for the elections.

As chairman of the committee and somebody that's worked on this, I disagree with that. I think we need to move this, irrespective of whatever's going to happen in the other body or with the administration. I think this has the effect of killing the bill because we won't have the time to deal with this.

Lastly, I think the CFTC has the ability to do this under the legislation. Apparently Mr. MORAN doesn't trust the CFTC. We have people over here that don't trust the CFTC, but I think they could deal with this. I don't think there's anything that precludes them from accomplishing this in the underlying legislation.

I would ask people to oppose the motion, and I would say that I believe this kills the bill for this session.

I yield back my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MORAN of Kansas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; ordering the previous question on House Resolution 1441; and adopting House Resolution 1441, if ordered.

The vote was taken by electronic device, and there were—yeas 196, nays 221, not voting 16, as follows:

[Roll No. 607]

YEAS—196

Aderholt	Calvert	Fallin
Akin	Camp (MI)	Feeney
Alexander	Campbell (CA)	Ferguson
Altmire	Cannon	Flake
Bachmann	Cantor	Forbes
Bachus	Capito	Fortenberry
Barrett (SC)	Carter	Fossella
Bartlett (MD)	Castle	Foster
Barton (TX)	Chabot	Fox
Bean	Coble	Franks (AZ)
Biggert	Cole (OK)	Frelinghuysen
Bilbray	Conaway	Gallely
Bilirakis	Crenshaw	Garrett (NJ)
Bishop (UT)	Culberson	Gerlach
Blackburn	Davis (KY)	Gilchrest
Blunt	Davis, David	Gingrey
Boehner	Davis, Tom	Gohmert
Bonner	Deal (GA)	Goode
Bono Mack	Dent	Goodlatte
Boozman	Diaz-Balart, L.	Granger
Boustany	Diaz-Balart, M.	Graves
Broun (GA)	Doolittle	Hall (TX)
Brown (SC)	Drake	Hastings (WA)
Brown-Waite,	Duncan	Hayes
Ginny	Ehlers	Heller
Buchanan	Emerson	Hensarling
Burton (IN)	English (PA)	Herger
Buyer	Everett	Hill

Hobson	McMorris	Sali
Hoekstra	Rodgers	Saxton
Hunter	McNerney	Scalise
Inglis (SC)	Mica	Schmidt
Johnson (IL)	Miller (FL)	Sensenbrenner
Johnson, Sam	Miller (MI)	Sessions
Jones (NC)	Miller, Gary	Shadegg
Jordan	Mitchell	Shays
Keller	Moran (KS)	Shimkus
King (IA)	Murphy, Tim	Shuster
Kingston	Musgrave	Simpson
Kirk	Myrick	Smith (NE)
Kline (MN)	Neugebauer	Smith (NJ)
Knollenberg	Nunes	Smith (TX)
Kuhl (NY)	Paul	Souder
LaHood	Pearce	Stearns
Lamborn	Peterson (PA)	Sullivan
Latham	Petri	Tancredo
LaTourette	Pickering	Terry
Latta	Platts	Thornberry
Lewis (CA)	Porter	Tiahrt
Lewis (KY)	Price (GA)	Tiberi
Linder	Pryce (OH)	Turner
LoBiondo	Putnam	Upton
Lucas	Radanovich	Walberg
Lungren, Daniel	Ramstad	Walden (OR)
E.	Regula	Walsh (NY)
Mack	Rehberg	Wamp
Manzullo	Reichert	Weldon (FL)
Marchant	Renzi	Weller
Marshall	Reynolds	Westmoreland
McCarthy (CA)	Rogers (AL)	Whitfield (KY)
McCaul (TX)	Rogers (KY)	Wilson (NM)
McCotter	Rogers (MI)	Wilson (SC)
McCrery	Rohrabacher	Wittman (VA)
McHenry	Ros-Lehtinen	Wolf
McHugh	Roskam	Young (AK)
McKeon	Royce	Young (FL)
	Ryan (WI)	

NAYS—221

Abercrombie	Doggett	Loebsack
Ackerman	Donnelly	Lofgren, Zoe
Allen	Doyle	Lowey
Andrews	Edwards (MD)	Lynch
Arcuri	Edwards (TX)	Mahoney (FL)
Baca	Ellison	Maloney (NY)
Baird	Ellsworth	Markey
Baldwin	Emanuel	Matheson
Barrow	Engel	Matsui
Becerra	Eshoo	McCarthy (NY)
Berkley	Etheridge	McCollum (MN)
Berman	Farr	McDermott
Berry	Fattah	McGovern
Bishop (GA)	Filner	McIntyre
Bishop (NY)	Frank (MA)	McNulty
Blumenauer	Giffords	Meek (FL)
Boren	Gillibrand	Meeks (NY)
Boswell	Gonzalez	Melancon
Boucher	Gordon	Michaud
Boyd (FL)	Green, Al	Miller (NC)
Boyda (KS)	Green, Gene	Miller, George
Brady (PA)	Gutierrez	Mollohan
Braley (IA)	Hall (NY)	Moore (KS)
Brown, Corrine	Hare	Moore (WI)
Butterfield	Harman	Moran (VA)
Capps	Herseth Sandlin	Murphy (CT)
Capuano	Higgins	Murphy, Patrick
Cardoza	Hinchey	Murtha
Carnahan	Hinojosa	Nadler
Carney	Hirono	Napolitano
Carson	Hodes	Neal (MA)
Castor	Holden	Oberstar
Cazayoux	Holt	Obey
Chandler	Honda	Olver
Childers	Hookey	Ortiz
Clarke	Hoyer	Pallone
Clay	Inslee	Pascarell
Cleaver	Israel	Pastor
Clyburn	Jackson (IL)	Payne
Cohen	Jefferson	Perlmutter
Cooper	Johnson (GA)	Peterson (MN)
Costa	Johnson, E. B.	Pomeroy
Costello	Kagen	Price (NC)
Courtney	Kanjorski	Rahall
Cramer	Kaptur	Rangel
Crowley	Kennedy	Reyes
Cuellar	Kildee	Richardson
Cummings	Kilpatrick	Rodriguez
Davis (AL)	Kind	Ross
Davis (CA)	Klein (FL)	Rothman
Davis (IL)	Kucinich	Roybal-Allard
Davis, Lincoln	Langevin	Ruppersberger
DeFazio	Larsen (WA)	Rush
DeGette	Larson (CT)	Ryan (OH)
Delahunt	Lee	Salazar
DeLauro	Levin	Sanchez, Linda
Dicks	Lewis (GA)	T.
Dingell	Lipinski	Sanchez, Loretta

Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Shea-Porter  
Sherman  
Shuler  
Sires  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Solis  
Space

Speier  
Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Tsongas  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez

Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

## NOT VOTING—16

Brady (TX)  
Burgess  
Conyers  
Cubin  
Dreier  
Grijalva

Hastings (FL)  
Hulshof  
Issa  
Jackson-Lee  
(TX)  
King (NY)

Lampson  
Pence  
Pitts  
Poe  
Sestak

## □ 1400

Messrs. BERMAN, JOHNSON of Georgia, MURTHA, RODRIGUEZ, GUTIERREZ, MURPHY of Connecticut, ROSS, BAIRD, Mrs. CAPPS, and Mr. RUPPERSBERGER changed their vote from “yea” to “nay.”

Messrs. CANNON, CARTER, WILSON of South Carolina, SIMPSON, WOLF, GERLACH, and TANCREDO changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. HUNTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 283, noes 133, not voting 17, as follows:

[Roll No. 608]

## AYES—283

Abercrombie  
Ackerman  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Baird  
Baldwin  
Barrow  
Becerra  
Berkley  
Berman  
Berry  
Billbray  
Billirakis  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bono Mack  
Boren  
Boswell  
Boucher  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Butterfield  
Capito

Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castle  
Castor  
Cazayoux  
Chabot  
Chandler  
Childers  
Clay  
Cleaver  
Clyburn  
Cohen  
Costello  
Courtney  
Cramer  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
Deal (GA)  
DeFazio  
DeGette  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.

Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Forbes  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Gallegly  
Gerlach  
Giffords  
Gilchrest  
Gillibrand  
Gohmert  
Gonzalez

Goode  
Goodlatte  
Gordon  
Graves  
Green, Al  
Green, Gene  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hayes  
Hereth Sandlin  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoolley  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jefferson  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Jones (NC)  
Kagen  
Kanjorski  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kirk  
Klein (FL)  
Knollenberg  
Kucinich  
Kuhl (NY)  
LaHood  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee  
Levin  
Lewis (GA)  
Lewis (KY)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Lynch  
Mahoney (FL)  
Marchant  
Markey

Marshall  
Matsui  
McCarthy (NY)  
McCollum (MN)  
McCotter  
McDermott  
McGovern  
McHugh  
McIntyre  
McMorris  
Rodgers  
McNerney  
McNulty  
Meek (FL)  
Meeks (NY)  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Payne  
Perlmutter  
Peterson (MN)  
Platts  
Pomeroy  
Porter  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Regula  
Reyes  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.

Sanchez, Loretta  
Sarbanes  
Saxton  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Shays  
Shea-Porter  
Sherman  
Shuler  
Sires  
Skelton  
Slaughter  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Souder  
Space  
Speier  
Spratt  
Stark  
Stearns  
Stupak  
Sutton  
Tanner  
Taylor  
Terry  
Thompson (CA)  
Thompson (MS)  
Tierney  
Towns  
Tsongas  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walsh (NY)  
Walz (MN)  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Welch (VT)  
Weller  
Wexler  
Whitfield (KY)  
Wilson (OH)  
Wittman (VA)  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (FL)

## NOES—133

Costa  
Crenshaw  
Crowley  
Culberson  
Davis (AL)  
Davis (KY)  
Davis, David  
Davis, Tom  
Doolittle  
Drake  
Everett  
Feeney  
Ferguson  
Flake  
Fossella  
Foster  
Fox  
Franks (AZ)  
Garrett (NJ)  
Gingrey  
Granger  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hunter  
Inglis (SC)  
Johnson, Sam  
Jordan  
Kind  
King (IA)

Kingston  
Kline (MN)  
Lamborn  
Latta  
Lewis (CA)  
Linder  
Lungren, Daniel  
E.  
Mack  
Maloney (NY)  
Manzullo  
Matheson  
McCarthy (CA)  
McCauley (TX)  
McCrery  
McHenry  
McKeon  
Melancon  
Mica  
Miller (FL)  
Miller, Gary  
Moran (KS)  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Petri  
Pickering  
Price (GA)  
Pryce (OH)  
Putnam

## NOT VOTING—17

Brady (TX)  
Burgess  
Conyers  
Cubin  
Dreier  
Grijalva

Hastings (FL)  
Hulshof  
Issa  
Jackson-Lee  
(TX)  
King (NY)

Lampson  
Pence  
Peterson (PA)  
Pitts  
Poe  
Sestak

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes.

## □ 1411

Messrs. BURTON of Indiana, MICA, CRENSHAW, and ROGERS of Michigan changed their vote from “aye” to “no.”

Ms. FALLIN and Mrs. McMORRIS RODGERS changed their vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Mr. Speaker, I have a privileged resolution at the desk, and I ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. ROSS). The Clerk will report the resolution.

The Clerk read as follows:

## H. RES. 1460

Whereas the Committee on Ways and Means has jurisdiction over the United States Tax Code;

Whereas The New York Times reported on September 5, 2008, that, “Representative Charles B. Rangel has earned more than \$75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the resort”;

Whereas in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel’s annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa;

Whereas The New York Times reported on September 6, 2008 that, “Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel’s lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel.”;

Whereas clause 5(a)(2)(A) of Rule 25 of the Rules of the House defines a gift as, “. . . a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value” and prohibits the acceptance of such gifts except in limited circumstances;

Whereas Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban;

Whereas Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law;

Whereas Roll Call newspaper reported on September 15, 2008 that, "The inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings.";

Whereas Representative Rangel's failure to report the aforementioned gifts and income on Federal, State and local tax returns is a violation of the tax laws of those jurisdictions;

Whereas disclosure of these improper acts follows an announcement on July 31, 2008 by the House Committee on Standards of Official Conduct that it is reviewing unrelated allegations that Representative Rangel has violated House gift rules, financial disclosure regulations and rules barring the use of official resources to solicit funds for private ventures;

Whereas an editorial in The New York Times on September 15, 2008 stated, "Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated.";

Whereas clause 1 of rule XXXIII of the Rules of the House of Representatives provides, "A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House";

Whereas on May 24, 2006, Speaker Nancy Pelosi cited "high ethical standards" in a letter to Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson: Now, therefore, be it

*Resolved*, That—

(1) pursuant to its authority under clause 3(a)(2) of House Rule XI, the Committee on Standards of Official Conduct, within 10 days of adoption of this resolution, shall establish an Investigative Subcommittee in the matter of Representative Charles B. Rangel or report to the House the reasons for its failure to do so; and

(2) upon adoption of this resolution and pending completion of the aforementioned investigation, Representative Rangel is hereby removed as chairman of the Committee on Ways and Means.

□ 1415

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOEHNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on

ordering the previous question on House Resolution 1441, by the yeas and nays; and adoption of House Resolution 1441, if ordered.

The vote was taken by electronic device, and there were—yeas 226, nays 176, answered "present" 11, not voting 20, as follows:

[Roll No. 609]  
YEAS—226

Abercrombie	Gillibrand	Oberstar
Ackerman	Gonzalez	Obey
Allen	Gordon	Olver
Altmire	Green, Al	Ortiz
Andrews	Gutierrez	Pallone
Arcuri	Hall (NY)	Pascarella
Baca	Hare	Pastor
Baird	Harman	Paul
Baldwin	Herseth Sandlin	Payne
Barrow	Higgins	Perlmutter
Bean	Hill	Peterson (MN)
Becerra	Hinchee	Pomeroy
Berkley	Hinojosa	Price (NC)
Berman	Hirono	Rahall
Berry	Hodes	Ramstad
Bishop (GA)	Holden	Rangel
Bishop (NY)	Holt	Reyes
Blumenauer	Honda	Richardson
Boren	Hooley	Rodriguez
Boswell	Hoyer	Rohrabacher
Boucher	Inslee	Ross
Boyd (FL)	Israel	Rothman
Boyd (KS)	Jackson (IL)	Ruppersberger
Brady (PA)	Jefferson	Rush
Braley (IA)	Johnson (GA)	Ryan (OH)
Brown, Corrine	Johnson, E. B.	Salazar
Butterfield	Jones (NC)	Sánchez, Linda T.
Capps	Kagen	Sanchez, Loretta
Canquano	Kanjorski	Sarbanes
Cardoza	Kaptur	Schakowsky
Carnahan	Kildee	Schiff
Carney	Kilpatrick	Schwartz
Carson	Kind	Scott (GA)
Castor	Klein (FL)	Serrano
Cazayoux	Kucinich	Shea-Porter
Chandler	Langevin	Sherman
Childers	Larsen (WA)	Shuler
Clarke	Larson (CT)	Sires
Clay	Lee	Skelton
Cleaver	Levin	Slaughter
Clyburn	Lewis (GA)	Smith (WA)
Cohen	Lipinski	Solis
Cooper	Loebsock	Space
Costa	Lofgren, Zoe	Speier
Costello	Lowe	Spratt
Courtney	Lynch	Stark
Cramer	Mahoney (FL)	Stupak
Crowley	Maloney (NY)	Sutton
Cuellar	Markey	Tanner
Cummings	Marshall	Tauscher
Davis (AL)	Matheson	Taylor
Davis (CA)	Matsui	Thompson (CA)
Davis (IL)	McCarthy (NY)	Thompson (MS)
Davis, Lincoln	McCollum (MN)	Tierney
DeFazio	McDermott	Towns
DeGette	McGovern	Tsongas
DeLauro	McIntyre	Udall (CO)
Dicks	McNerney	Udall (NM)
Dingell	McNulty	Van Hollen
Doggett	Meek (FL)	Velázquez
Donnelly	Meeks (NY)	Visclosky
Edwards (MD)	Melancon	Walz (MN)
Edwards (TX)	Michaud	Wasserman
Ellison	Miller (NC)	Schultz
Ellsworth	Miller, George	Waters
Emanuel	Mitchell	Watson
Engel	Mollohan	Watt
Eshoo	Moore (KS)	Waxman
Etheridge	Moore (WI)	Weiner
Farr	Moran (VA)	Welch (VT)
Fattah	Murphy (CT)	Wexler
Filner	Murphy, Patrick	Wilson (OH)
Foster	Murtha	Woolsey
Frank (MA)	Nadler	Wu
Giffords	Napolitano	Yarmuth
Gilchrest	Neal (MA)	

NAYS—176

Aderholt	Bilbray	Boustany
Akin	Bilirakis	Broun (GA)
Alexander	Bishop (UT)	Brown (SC)
Bachmann	Blackburn	Brown-Waite,
Bachus	Blunt	Ginny
Bartlett (MD)	Boehner	Buchanan
Barton (TX)	Bono Mack	Buyer
Biggert	Boozman	Calvert

Camp (MI)	Hunter	Putnam
Campbell (CA)	Inglis (SC)	Radanovich
Cannon	Johnson (IL)	Regula
Cantor	Johnson, Sam	Rehberg
Capito	Jordan	Reichert
Carter	Keller	Reynolds
Castle	King (IA)	Rogers (AL)
Chabot	Kingston	Rogers (KY)
Coble	Kirk	Rogers (MI)
Cole (OK)	Knollenberg	Ros-Lehtinen
Conaway	Kuhl (NY)	Roskam
Crenshaw	LaHood	Royce
Culberson	Lamborn	Ryan (WI)
Davis (KY)	Latham	Sali
Davis, David	LaTourette	Saxton
Davis, Tom	Latta	Scalise
Deal (GA)	Lewis (CA)	Schmidt
Dent	Lewis (KY)	Sensenbrenner
Diaz-Balart, L.	Linder	Sessions
Diaz-Balart, M.	LoBiondo	Shadegg
Doolittle	Lucas	Shays
Drake	Lungren, Daniel E.	Shimkus
Duncan	Mack	Shuster
Ehlers	Manzullo	Simpson
Emerson	Marchant	Smith (NE)
English (PA)	McCarthy (CA)	Smith (NJ)
Everett	McCotter	Smith (TX)
Fallin	McCrery	Souder
Feeney	McHenry	Stearns
Ferguson	McHugh	Sullivan
Flake	McKeon	Tancredo
Forbes	McMorris	Thornberry
Fortenberry	Rodgers	Tiahrt
Fox	Mica	Tiberi
Franks (AZ)	Miller (FL)	Turner
Frelinghuysen	Miller (MI)	Upton
Gallely	Miller, Gary	Walberg
Garrett (NJ)	Moran (KS)	Walden (OR)
Gerlach	Murphy, Tim	Walsh (NY)
Gingrey	Musgrave	Wamp
Gohmert	Myrick	Weldon (FL)
Goode	Neugebauer	Weller
Goodlatte	Nunes	Westmoreland
Granger	Pearce	Whitfield (KY)
Graves	Peterson (PA)	Wilson (NM)
Hall (TX)	Petri	Wilson (SC)
Hayes	Pickering	Wittman (VA)
Heller	Platts	Wolf
Hensarling	Porter	Young (AK)
Herger	Price (GA)	Young (FL)
Hobson	Pryce (OH)	
Hoekstra		

ANSWERED "PRESENT"—11

Barrett (SC)	Doyle	McCauley (TX)
Bonner	Green, Gene	Roybal-Allard
Burton (IN)	Hastings (WA)	Scott (VA)
Delahunt	Kline (MN)	

NOT VOTING—20

Brady (TX)	Hastings (FL)	Lampson
Burgess	Hulshof	Pence
Conyers	Issa	Pitts
Cubin	Jackson-Lee	Poe
Dreier	(TX)	Renzi
Fossella	Kennedy	Sestak
Grijalva	King (NY)	Snyder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1436

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3036, NO CHILD LEFT INSIDE ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1441, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.



This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 188, not voting 18, as follows:

[Roll No. 610]

YEAS—227

Abercrombie	Green, Al	Ortiz
Ackerman	Green, Gene	Pallone
Allen	Gutierrez	Pascarell
Altmire	Hall (NY)	Pastor
Andrews	Hare	Payne
Arcuri	Harman	Perlmutter
Baca	Herseth Sandlin	Peterson (MN)
Baird	Higgins	Pomeroy
Baldwin	Hinchey	Price (NC)
Barrow	Hinojosa	Rahall
Bean	Hirono	Rangel
Becerra	Hodes	Reichert
Berkley	Holden	Reyes
Berry	Holt	Richardson
Bishop (GA)	Honda	Rodriguez
Bishop (NY)	Hooley	Ros-Lehtinen
Blumenauer	Hoyer	Ross
Boren	Inslee	Rothman
Boswell	Israel	Royal-Ballard
Boucher	Jackson (IL)	Ruppersberger
Boyd (FL)	Jefferson	Rush
Boyd (KS)	Johnson (GA)	Ryan (OH)
Brady (PA)	Johnson (IL)	Salazar
Braley (IA)	Johnson, E. B.	Sánchez, Linda T.
Brown, Corrine	Kagen	Sanchez, Loretta
Butterfield	Kanjorski	Sarbanes
Capps	Kaptur	Schakowsky
Capuano	Kennedy	Schiff
Cardoza	Kildee	Schwartz
Carnahan	Kilpatrick	Scott (GA)
Carney	Kind	Scott (VA)
Carson	Klein (FL)	Serrano
Castor	Kucinich	Shea-Porter
Chandler	Langevin	Sherman
Clarke	Larsen (WA)	Shuler
Clay	Larson (CT)	Sires
Cleaver	Lee	Skelton
Clyburn	Levin	Slaughter
Cohen	Lewis (GA)	Smith (WA)
Cooper	Lipinski	Snyder
Costa	Loeb sack	Solis
Costello	Lofgren, Zoe	Space
Courtney	Lowey	Speier
Cramer	Lynch	Spratt
Crowley	Mahoney (FL)	Stark
Cuellar	Maloney (NY)	Sutton
Cummings	Markey	Tanner
Davis (AL)	Marshall	Tauscher
Davis (CA)	Matheson	Taylor
Davis (IL)	Matsui	Thompson (CA)
Davis, Lincoln	McCarthy (NY)	Thompson (MS)
DeFazio	McCollum (MN)	Tierney
DeGette	McDermott	Towns
Delahunt	McGovern	Tsongas
DeLauro	McIntyre	Udall (CO)
Dicks	McNerney	Udall (NM)
Dingell	McNulty	Van Hollen
Doggett	Meek (FL)	Velázquez
Donnelly	Meeks (NY)	Visclosky
Doyle	Melancon	Walz (MN)
Edwards (MD)	Michaud	Wasserman
Edwards (TX)	Miller (NC)	Schultz
Ellison	Miller, George	Waters
Ellsworth	Mitchell	Watson
Emanuel	Mollohan	Watt
Engel	Moore (KS)	Waxman
Eshoo	Moore (WI)	Weiner
Etheridge	Moran (VA)	Welch (VT)
Farr	Murphy (CT)	Wexler
Fattah	Murphy, Patrick	Wilson (OH)
Filner	Murtha	Woolsey
Foster	Nadler	Wu
Frank (MA)	Napolitano	Yarmuth
Giffords	Neal (MA)	
Gillibrand	Oberstar	
Gonzalez	Obey	
Gordon	Oliver	

NAYS—188

Aderholt	Blackburn	Burton (IN)
Akin	Blunt	Buyer
Alexander	Boehner	Calvert
Bachmann	Bonner	Camp (MI)
Bachus	Bono Mack	Campbell (CA)
Barrett (SC)	Boozman	Cannon
Bartlett (MD)	Boustany	Cantor
Barton (TX)	Broun (GA)	Capito
Biggert	Brown (SC)	Carter
Bilbray	Brown-Waite,	Castle
Bilirakis	Ginny	Cazayoux
Bishop (UT)	Buchanan	Chabot

Childers	Jones (NC)	Putnam
Coble	Jordan	Radanovich
Cole (OK)	Keller	Ramstad
Conaway	King (IA)	Regula
Crenshaw	Kingston	Rehberg
Culberson	Kirk	Renzi
Davis (KY)	Kline (MN)	Reynolds
Davis, David	Knollenberg	Rogers (AL)
Davis, Tom	Kuhl (NY)	Rogers (KY)
Deal (GA)	LaHood	Rogers (MI)
Dent	Lamborn	Rohrabacher
Diaz-Balart, L.	Latham	Roskam
Diaz-Balart, M.	LaTourette	Royce
Doolittle	Latta	Ryan (WI)
Drake	Lewis (CA)	Sali
Duncan	Lewis (KY)	Saxton
Ehlers	Linder	Scalise
Emerson	LoBiondo	Schmidt
English (PA)	Lucas	Sensenbrenner
Everett	Lungren, Daniel E.	Sessions
Fallin	Mack	Shadegg
Feeney	Manzullo	Shays
Ferguson	Flake	Shimkus
Gingrey	Marchant	Shuster
Gohmert	Forbes	Simpson
Goode	Fortenberry	Smith (NE)
Goodlatte	Fossella	Smith (NJ)
Granger	Fox	Smith (TX)
Graves	Franks (AZ)	Souder
Hall (TX)	Frelinghuysen	Stearns
Hastings (WA)	Gallegly	Sullivan
Hayes	Garrett (NJ)	Tancred
Heller	Gerlach	Terry
Hensarling	Gilchrest	Thornberry
Herger	Gingrey	Tiahrt
Hill	Gohmert	Tiberi
Hobson	Goode	Turner
Hoekstra	Goodlatte	Upton
Hunter	Granger	Walberg
Inglis (SC)	Graves	Walden (OR)
Johnson, Sam	Hall (TX)	Walsh (NY)
	Hastings (WA)	Wamp
	Hayes	Weldon (FL)
	Heller	Weller
	Hensarling	Westmoreland
	Herger	Whitfield (KY)
	Hill	Wilson (NM)
	Hobson	Wilson (SC)
	Hoekstra	Wittman (VA)
	Hunter	Wolf
	Inglis (SC)	Young (FL)
	Johnson, Sam	

NOT VOTING—18

Berman	Hastings (FL)	Pence
Brady (TX)	Hulshof	Pitts
Burgess	Issa	Poe
Conyers	Jackson-Lee	Sestak
Cubin	(TX)	Young (AK)
Dreier	King (NY)	
Grijalva	Lampson	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1447

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 182, not voting 30, as follows:

[Roll No. 611]

YEAS—221

Abercrombie	Arcuri	Bean
Ackerman	Baca	Becerra
Allen	Baird	Berry
Altmire	Baldwin	Bishop (GA)
Andrews	Barrow	Bishop (NY)

Blumenauer	Hinchey	Perlmutter
Boren	Hinojosa	Peterson (MN)
Boswell	Hirono	Pomeroy
Boucher	Hodes	Price (NC)
Boyd (FL)	Holden	Rahall
Boyda (KS)	Holt	Ramstad
Brady (PA)	Honda	Rangel
Braley (IA)	Hooley	Reyes
Brown, Corrine	Hoyer	Richardson
Butterfield	Inslee	Rodriguez
Capps	Israel	Ross
Capuano	Jackson (IL)	Rothman
Cardoza	Jefferson	Royal-Ballard
Carnahan	Johnson (GA)	Ruppersberger
Carney	Johnson, E. B.	Rush
Carson	Kagen	Ryan (OH)
Castle	Kanjorski	Salazar
Castor	Kaptur	Sánchez, Linda T.
Cazayoux	Kildee	Sanchez, Loretta
Chandler	Kilpatrick	Sarbanes
Childers	Kind	Schakowsky
Clarke	Klein (FL)	Schiff
Clay	Kucinich	Schwartz
Cleaver	Langevin	Scott (GA)
Clyburn	Larsen (WA)	Scott (VA)
Cohen	Larson (CT)	Serrano
Cooper	Lee	Shea-Porter
Costa	Levin	Sherman
Costello	Lewis (GA)	Shuler
Courtney	Lipinski	Sires
Cramer	Loeb sack	Skelton
Crowley	Lofgren, Zoe	Smith (WA)
Cuellar	Lowey	Snyder
Cummings	Lynch	Solis
Davis (AL)	Mahoney (FL)	Space
Davis (CA)	Maloney (NY)	Speier
Davis (IL)	Markey	Spratt
Davis, Lincoln	Marshall	Stark
DeFazio	Matheson	Stupak
DeGette	Matsui	Sutton
Delahunt	McCarthy (NY)	Tanner
DeLauro	McCollum (MN)	Tauscher
Dicks	McDermott	Taylor
Dingell	McGovern	Thompson (CA)
Doggett	McIntyre	Thompson (MS)
Donnelly	McNerney	Tierney
Doyle	McNulty	Towns
Edwards (MD)	Meek (FL)	Tsongas
Edwards (TX)	Meeks (NY)	Udall (CO)
Ellison	Michaud	Udall (NM)
Ellsworth	Miller (NC)	Van Hollen
Emanuel	Miller, George	Velázquez
Engel	Mitchell	Visclosky
Eshoo	Mollohan	Walz (MN)
Etheridge	Moore (KS)	Wasserman
Farr	Moore (WI)	Schultz
Fattah	Moran (VA)	Watson
Filner	Murphy (CT)	Watt
Foster	Murphy, Patrick	Waxman
Frank (MA)	Murtha	Weiner
Giffords	Nadler	Welch (VT)
Gillibrand	Napolitano	Wexler
Gonzalez	Neal (MA)	Wilson (OH)
Gordon	Oberstar	Woolsey
	Obey	Wu
	Oliver	Yarmuth

NAYS—182

Aderholt	Cantor	Forbes
Akin	Capito	Fortenberry
Alexander	Carter	Fossella
Bachmann	Chabot	Fox
Barrett (SC)	Coble	Franks (AZ)
Bartlett (MD)	Cole (OK)	Frelinghuysen
Barton (TX)	Conaway	Gallegly
Bilbray	Crenshaw	Garrett (NJ)
Bilirakis	Culberson	Gerlach
Bishop (UT)	Davis (KY)	Gilchrest
Blackburn	Davis, David	Gingrey
Blunt	Davis, Tom	Gohmert
Boehner	Deal (GA)	Goode
Bonner	Dent	Goodlatte
Bono Mack	Diaz-Balart, L.	Granger
Boozman	Diaz-Balart, M.	Graves
Boustany	Doolittle	Hall (TX)
Broun (GA)	Drake	Hastings (WA)
Brown (SC)	Duncan	Hayes
Brown-Waite,	Ehlers	Heller
Ginny	Emerson	Hensarling
Buchanan	English (PA)	Herger
Burton (IN)	Everett	Hill
Calvert	Fallin	Hobson
Camp (MI)	Feeney	Hoekstra
Campbell (CA)	Ferguson	Hunter
Cannon	Flake	Inglis (SC)

Johnson (IL)	Miller (FL)	Schmidt
Johnson, Sam	Miller (MI)	Sensenbrenner
Jones (NC)	Miller, Gary	Sessions
Jordan	Moran (KS)	Shadegg
Keller	Murphy, Tim	Shays
King (IA)	Musgrave	Shimkus
Kingston	Myrick	Shuster
Kirk	Neugebauer	Simpson
Kline (MN)	Nunes	Smith (NE)
Knollenberg	Paul	Smith (NJ)
Kuhl (NY)	Pearce	Smith (TX)
LaHood	Petri	Souder
Lamborn	Pickering	Stearns
Latham	Platts	Sullivan
LaTourette	Porter	Tancredo
Latta	Price (GA)	Terry
Lewis (CA)	Pryce (OH)	Thornberry
Lewis (KY)	Putnam	Tiahrt
Linder	Radanovich	Tiberi
LoBiondo	Regula	Turner
Lucas	Rehberg	Upton
Lungren, Daniel	Reichert	Walberg
E.	Renzi	Walden (OR)
Mack	Reynolds	Walsh (NY)
Manzullo	Rogers (AL)	Wamp
Marchant	Rogers (KY)	Weldon (FL)
McCarthy (CA)	Rogers (MI)	Weller
McCaul (TX)	Rohrabacher	Westmoreland
McCotter	Ros-Lehtinen	Whitfield (KY)
McHenry	Roskam	Wilson (NM)
McHugh	Royce	Wilson (SC)
McKeon	Ryan (WI)	Wittman (VA)
McMorris	Sali	Wolf
Rodgers	Saxton	Young (FL)
Mica	Scalise	

## NOT VOTING—30

Bachus	Green, Gene	Melancon
Berkley	Grijalva	Neal (MA)
Berman	Hastings (FL)	Pence
Biggert	Hulshof	Peterson (PA)
Brady (TX)	Issa	Pitts
Burgess	Jackson-Lee	Poe
Buyer	(TX)	Sestak
Conyers	Kennedy	Waters
Cubin	King (NY)	Young (AK)
Dreier	Lampson	
Ellison	McCrery	

□ 1454

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, today, I was called away on personal business. I regret that I was not present for the following votes:

Ordering the previous question on H. Res. 1449. Had I been present, I would have voted "aye."

On agreeing to H. Res. 1449. Had I been present, I would have voted "aye."

On the motion to recommit with instructions H.R. 6604. Had I been present I would have voted "nay."

On passage of H.R. 6604. Had I been present I would have voted "aye."

On the motion to table H. Res. 1460. Had I been present I would have voted "yea."

On ordering the previous question on H. Res. 1441. Had I been present I would have voted "yea."

On agreeing to H. Res. 1441. Had I been present I would have voted "yea."

# AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 6604, COMMODITY MARKETS TRANSPARENCY AND ACCOUNTABILITY ACT OF 2008

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that

the Clerk be authorized to make technical corrections in the engrossment of H.R. 6604, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mr. WEINER). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 3001. An act to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 3002. An act to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 3003. An act to authorize appropriations for fiscal year 2009 for military construction, and for other purposes.

S. 3004. An act to authorize appropriations for fiscal year 2009 for defense activities of the Department of Energy, and for other purposes.

## GENERAL LEAVE

Mr. SARBANES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material into the RECORD on H.R. 3036.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

## NO CHILD LEFT INSIDE ACT OF 2008

The SPEAKER pro tempore. Pursuant to House Resolution 1441 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3036.

□ 1455

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3036) to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes, with Mr. ROSS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Maryland (Mr. SARBANES) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. SARBANES. Mr. Chairman, it is my pleasure to rise today to speak in support of the No Child Left Inside Act of 2008 which I was privileged to sponsor and which really, I think, sets a new foundation for focus on environmental education in this country as we move forward at a critical time in our Nation's history.

Before I speak to the merits, I want to make sure that I thank Chairman GEORGE MILLER, chairman of the Education and Labor Committee, for his strong support of the No Child Left Inside Act and for being a champion throughout his career for environmental education. His involvement in this bill and his strong support signals that we are setting a foundation today to make sure that when it comes time to reauthorize the Elementary and Secondary Education Act next year that environmental education will be a critical and important component of that reauthorization.

I also want to thank Chairman DALE KILDEE, chairman of the subcommittee that had jurisdiction over the No Child Left Inside Act, as well as Chairwoman MCCARTHY whose committee has jurisdiction with respect to the National Environmental Education Act which this extends.

We persuaded Chairman KILDEE to conduct a field hearing in Maryland at the Patuxent Wildlife Refuge, and we did it outdoors. I am not sure that he had done that before, but it went off beautifully. We got very, very powerful testimony from children and parents, teachers and environmentalists and other advocates for this legislation.

I want to salute the coalition, the No Child Left Inside Act Coalition, which consists at last count of more than 700 organizations across the country, national organizations, regional organizations, and local organizations who came together to support this important piece of legislation representing over 40 million members in these organizations. That coalition, and this gives you a sense of what this legislation means, that coalition included public health advocates, environmentalists, educators, sportsmen, zoos, parks and other outdoor education centers, faith-based organizations, as well as businesses.

I want to give some special recognition to my home State of Maryland and their role in leading and helping organize this coalition and to the Governor of Maryland, Governor O'Malley, and the Secretary of Education, Nancy Grasmick, for also stepping up and doing at the State level what we are trying to effect across the country.

Finally, I have to salute the children and parents who came to the rallies and to the hearings that we have conducted on No Child Left Inside Act over

the last year because it was in the eyes of those children, in their whole body language and the enthusiasm and excitement they had when they were outdoors participating in these environmental activities. That was reason enough for us to be steadfast in supporting this legislation and moving it forward.

□ 1500

And of course, the many parents who I think look at the fact that their children are spending so much time indoors on television, the Internet, video games, and remember a time when they used to play outside and want to get their kids back out and into nature.

Let me just briefly address the contents of No Child Left Inside, what it seeks to do. It is an extension of the National Environmental Education Act, and it has a number of key components.

The first is to enhance the teacher training programs and teacher development programs that have existed and been overseen by the Environmental Protection Agency. We've enhanced them in this bill so that there's more of a focus on training teachers on how to deliver environmental education at the school level. We've enhanced it by putting in new provisions to recruit teachers, particularly in underserved areas to enter the field of environmental education.

In addition, this bill establishes, or asks, rather, that States across the country develop environmental literacy plans, in other words, a framework on how that State is going to make sure that when children graduate from high school, they have a fundamental awareness of the environment and the need to preserve our environment.

Lastly, and I think in some ways most importantly, this creates a new grant program, a National Capacity Environmental Education grant program which will allow local and State education associations, institutions of higher education and nonprofits, to apply competitively for grants that would fund a variety of environmental education initiatives, including developing new policy approaches to environmental education, developing curriculum framework, academic content standards and achievement standards focused on environmental education, and replicating and distributing information about tested and model programs that get children into nature and really have them experiencing the environment.

I'm so very pleased because I think this legislation reflects the commitment in this body, in this House of Representatives, in the people's House, but it also reflects the commitment that exists across our Nation today to environmental education and to the importance of focusing on the environment and getting our children out and into nature.

There's many, many benefits of this legislation and the programs that it will fund. I will turn to those shortly, Mr. Chairman.

For the moment, I will reserve the balance of my time.

Mr. McKEON. Mr. Chairman, I yield myself such time as I may consume.

Since 1990, the Federal Government's environmental education programs have been coordinated by the Environmental Protection Agency and have been well supported, receiving approximately \$9 million in 2008.

The bill before us aims to strengthen that investment. It would incorporate scientifically-based and technology-driven teaching methods into environmental education, align programs with challenging State and local content standards, and support integrated and interdisciplinary studies. It would also create opportunities for professional development and encourage participation among underrepresented populations. These are all positive steps that I support.

This bill also creates a new National Capacity Environmental Education Program, under the Department of Education, to develop elementary and secondary environmental education programs. Unfortunately, this program is duplicative of the existing environmental education program already being run by the EPA, which has provided more than 3,200 grants to States, local schools and nonprofit organizations to increase environmental education. By creating a new program administered by the Secretary of Education, I'm concerned that the bill could create a more fragmented system of promoting environmental education on the Federal level.

Still, on the whole, I think this is a modest bill with good intentions, and I do not intend to oppose its passage. I appreciate Chairman MILLER's willingness to work in a bipartisan fashion, and plan to vote "yes" because of that cooperation.

But let me say one thing to the education reform opponents who blame No Child Left Behind for all the world's ills. Our schools are free to teach environmental education or music or history or the Constitution or any number of other important subjects today under the No Child Left Behind act. We don't need a new bill with a clever name to make that happen.

So while I will be voting "yes" on this bill, I must confess that I'm not entirely sure why we're here today devoting several hours to debating it under a rule.

Only a handful of bills are brought up under the rules process each week. Generally, those are the bills that are of greatest concern to the American people. This week, for example, this rather minor environmental education bill is one of just four bills that will be brought up under a rule. Dozens of other minor bills are easily considered under a suspension of the rule each week, giving us more time for those

issues that are complex or consequential.

The only reason I can think of to bring a bill like this to the floor under a rule is because the majority is trying to fill the time and avoid a debate on other issues.

On the schedule that we've been given by this Democratic leadership that pledged to work harder in this new Congress, in the last 5 months of this year, 15 days were scheduled to work. Last week one of those days was eliminated, bringing it down to 14. We just heard that another day has been eliminated tomorrow, bringing it down to 13; 13 working days in the last 5 months of the year.

One of the issues that we could be debating, or should be debating, I think it is very important to the American people given the price of gasoline at the pump and the tremendous problems that we have facing us, this issue is energy, and it's an issue that we won't allow the majority to ignore. In fact, I believe this bill to improve environmental education is the perfect place to talk about energy.

That's why we've proposed amendments to advance the understanding of the environmental and economic benefits of clean coal and oil shale production, energy production in ANWR, and energy production on the Outer Continental Shelf.

We've proposed amendments to advance the understanding of the environmental and economic benefits of nuclear power, and of American-made energy, and of an all-of-the-above strategy, an energy production strategy that would increase production, promote conservation and expand innovation.

Feeling the pressure to acknowledge these important issues, the majority hastily revised their manager's amendment on Tuesday for this bill, more than a week after the amendment deadline for the bill. And they added a half-hearted mention of issues of American energy production.

While it's a small step in the right direction, I can't help but wonder if this last-minute change was made not because they agree that we need to explore these issues, but because they simply didn't want to vote on our other stronger amendments. Time and again, this majority has skirted the issue and avoided a real debate about real energy problems.

The bill we passed on Tuesday was a sham. It was about offering political cover, not about making America energy independent.

Mr. Chairman, I would urge the American people to watch the progress of this bill. I've heard many speeches during the last couple of days about how we've expanded areas where we can explore and we can bring more production on-line and we can move towards energy independence, and this is what we have done to help the American people.

I would encourage the American people, Mr. Chairman, to watch the

progress of this bill to see how it moves forward the rest of this afternoon; tomorrow we won't be in session so they won't be able to work on it, and then all of next week. We'll be here, maybe all week, and then this Congress will end. And let's see if the American people see that the things that were promised in these speeches the last couple of days come to bear, or if it was just more political rhetoric to try to win the upcoming election.

I'm not surprised that they incorporated a fig leaf reference to energy production in this bill at all. It becomes par for the course. But I'm here to tell you that we're not buying it and the American people aren't buying it, either.

Our schools are suffering because of high energy prices, and any time we debate a bill to help our schools, we ought to be talking about how to ease their pain at the pump as well.

Earlier today I joined Republican Leader BOEHNER to release the results of our Back to School Energy Survey. The results were eye opening. We heard from nearly 1,000 Americans, principals, teachers, school board members from across country, and they overwhelmingly agreed that Congress needs to be doing more to bring down energy prices.

Ninety percent of those surveyed said high energy costs were impacting their schools. Nearly half reported that high fuel costs have forced schools in their community to cut field trips and after-school activities. One-third told us that high costs forced schools to limit bus routes. And nearly a quarter reported that rising energy costs have led to higher school lunch prices.

Mr. Chairman, the American people deserve better and our schools deserve better.

I reserve the balance of my time.

Mr. SARBANES. Mr. Chairman, I just want to point out that one of the things that is so exciting about this bill and the advancing of environmental education that it represents, and we heard this in some of the hearings we conducted, is you're going to get young people very interested in the environment from the standpoint of what business opportunities, economic opportunities exist. And some of these folks are going to go out and come up with cutting-edge ideas in terms of energy, new energy technologies and so forth.

In fact, we heard from one young man who testified that when his interest in environmental education developed, he took that and he channeled it into his own start-up business which is looking at biofuels. And so I expect to come from this sort of legislation which gets our kids focused more on environmental education all sorts of new economic opportunities and things that advance us when it comes to energy.

Before I yield, I just want to make one other point. This legislation, in my view, is really responding to initiative

and creativity that is coming forth from the citizenry all across this country. Many communities and schools have, on their own, sort of stepped forward and started to pilot things in the environmental education arena. But they need some help. They need some resources to jump that up to the next level. I view as a very appropriate role of government to step forward and offer some leverage and help facilitate good ideas when they emerge from the public.

It's been 27 years since the U.S. Department of Education had a meaningful role with respect to environmental education. This bill will make sure that that happens, and that's one of the reasons we're so excited about it.

At this time I would like to yield, Mr. Chairman, 2 minutes to the gentlewoman from California (Ms. WOOLSEY), a member of the Education and Labor Committee.

Ms. WOOLSEY. Thank you, Mr. SARBANES, for yielding time.

I rise in support of H.R. 3036, the No Child Left Inside Act. My district is just across the Golden Gate Bridge from San Francisco, Marin and Sonoma Counties. We've been leaders in bringing environmental education into schools for quite some time now. These wonderful educators have done this through programs like the School Garden Projects and the Students and Teachers Restoring a Watershed, the STRAW project. These programs have given children hands-on opportunities to learn about the environment, and it's given teachers an opportunity to integrate other subjects; they integrate math and science and writing so students see real world applications in what they are learning.

This bill will help States. It will help them expand efforts to promote environmental education in our Nation's schools, and to promote efforts to teach our children to be good stewards of the Earth, and, in turn, they teach their parents, quite often.

Environmental education is a great way to tie together all the important subjects and lessons for growing up, while also teaching students about the environment, how to play a key role in preserving it for our future, for their future and for their children's future.

As we look for the best ways to prepare our children for the future, we cannot forget that the best education teaches the whole child.

□ 1515

Children must continue to have access to all subjects, including environmental education. I urge my colleagues to support H.R. 3036, the No Child Left Inside Act.

Mr. McKEON. Mr. Chairman, I am happy to yield at this time to the gentleman from Delaware, the subcommittee ranking member on the Elementary and Secondary Education Committee, Mr. CASTLE, 4 minutes.

Mr. CASTLE. I thank the distinguished gentleman from California for

yielding to me, and I do rise in support of H.R. 3036, the No Child Left Inside Act.

This legislation builds upon a strong foundation of the National Environmental Education Act, NEEA, a law originally passed in 1990 to coordinate the Federal Government's environmental education programs through the Environmental Protection Agency, which we know as the EPA.

I believe strongly in the need for environmental education—our dependence on fossil fuels, growing global warming pollution, and skyrocketing energy costs are all major concerns that require multi-pronged approaches. I believe environmental education is the tool of choice in tackling many of these issues. Never before has it been more imperative that we educate not only the next generation of scientists, but also the next generation of environmental stewards.

Environmental education fosters greater appreciation among Americans, beginning in the classroom and extending throughout their adult lives, for the role we all play, collectively and as individuals, in shaping a greener world. Through the NEEA, the Federal Government is playing a strong role in environmental education, promoting science to meet the challenges of the 21st century, and helping to foster a green economy.

I believe this legislation takes a number of steps which work to bolster environmental education and ultimately benefit our Nation's students, such as extending for one year the NEEA, strengthening the existing environmental education and training programs so that it focuses on creating opportunities for enhanced and ongoing professional development, and developing a National Capacity Environmental Education Grant Program under NEEA to develop elementary and secondary environmental programs.

I am also pleased that this bill includes language that I offered before the Committee on Education and Labor to ensure that the programs and activities funded under the NEEA are, in fact, quality programs and activities by requiring participants to report on and subsequently making public the progress they make on a number of quality indicators. Important indicators which foster the understanding and appreciation of the environment, such as enhancing the understanding of the natural and built environment, fostering an appreciation of environmental issues, increasing academic achievement in environmental issues and in related areas of national interest such as mathematics and science, increasing the understanding of the benefits of natural environmental exposure, increasing the understanding of how human and natural systems interact with one another, and broadening the awareness of environmental issues for funded programs and activities.

As I stated earlier, I believe strongly in improving educational achievement

and believe environmental education is an important component. Resulting from the No Child Left Behind Act, which I coauthored, all 50 States have implemented accountability measures in response to increasing concerns about the quality of our Nation's students' elementary and secondary education. I believe this amendment follows this trend by ensuring that environmental education, too, is of a high standard in this country.

While I believe the underlying legislation will help strengthen environmental education in our country, I also believe it is necessary for Congress to move forward with a broader reauthorization of the National Environmental Education Act.

I look forward to working with my colleagues on this vital piece of legislation as we head into next year.

I would just point out with all the discussion we've had on the floor in the last 2 or 3 months about energy and the environment, that education such as this could be very helpful in terms of future Congresses as well.

I urge my colleagues to support H.R. 3036.

Mr. SARBANES. Mr. Chairman, I do want to thank Ranking Member MCKEON and Congressman CASTLE for their support here today for the bill, as well as in committee, and thank Representative CASTLE for his very helpful amendment during the markup.

Ms. WOOLSEY just a moment before mentioned just how this brings children alive, and I want to make one point before I yield to Representative ANDREWS. That is, we had testimony in our hearings for all those who are concerned about this, you know, whether introducing in a meaningful way back into our curriculum things like environmental education and other subjects are somehow going to detract from this important focus on math and reading proficiency, for example.

The testimony that we had from one teacher was that her fourth graders are writing grant applications to local foundations for funding that can help support local projects that they're involved in with their local watershed right there in their own backyard, backyard streams and so forth. And nothing is enhancing their reading and verbal proficiency more than engaging in that exercise. But it's all motivated by their love of the environment.

It is my pleasure now to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I rise in support of this very well-thought-out piece of legislation. School districts across our country are struggling economically to pay their bills for their basics, to do the basic things that we've established schools to do. And sometimes some things that they would like to do that are somewhat extra fall by the wayside. Very often they do.

This program builds a competitive grant program where school districts around the country can compete for the most innovative and effective environmental education programs.

This is the field trip that the students might not otherwise have; this is the summer course for the teacher that he or she might not otherwise have; this is investment in the learning materials for the technology that the students might not otherwise have; this is the science fair competition that is centered upon environmental issues that the students might not otherwise have. The beneficiaries of this well-thought-out bill are not simply the students and the teachers and the schools who will benefit from the program, it's the U.S. economy and all of us who depend on it.

The jobs of the future will be jobs that generate new ideas, particularly in the area of alternative energy production. So much of that is intricately tied to environmental education. And it's today's students, today's young people, for whom these ideas will be enlightened and from whom new products will come.

So this is not simply an assistance to America's schools today. I believe it's also an investment in the jobs of the future that the country so badly needs.

I congratulate Mr. SARBANES for his excellent work on this bill. I would hope both Democrats and Republicans support it, and I would urge a "yes" vote.

The CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Ms. CLARKE) assumed the Chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### NO CHILD LEFT INSIDE ACT OF 2008

The Committee resumed its sitting.

Mr. MCKEON. Mr. Chairman, I am happy to at this time yield to the gentlelady from North Carolina (Ms. FOXX) such time as she may consume.

Ms. FOXX. Mr. Chairman, I want to thank my colleague from California for yielding me time.

He made a couple of comments earlier, I won't try to repeat everything that he said, but he asked a question; he doesn't know why we're here dealing with this bill that normally would be under suspension and certainly wouldn't be a rule bill, but I agree that we know why we're here: it's to fill time because the majority has so little of consequence for us to deal with when we should be dealing with consequential things such as the American Energy Act.

However, I want to also point out the fact that this bill is not going to solve

all of the problems of the world. It's not going to create the alternative energies that we need. I read the Constitution. I read it fairly frequently. Yesterday we celebrated Constitution Day. And I have searched in vain for the word "education" there. Nowhere did our Founding Fathers just think that the Congress of the United States should be involved in education. That was an issue that they thought best left to the States, and I think it is best left to the States and is not something that we should be dealing with here in the Congress.

Almost every day someone from the majority party comes to the floor and decries the deficit that we're facing. Well, one of the reasons that we're facing a terrible deficit is because the majority party is involved in everything and many things it should not be involved in, especially in education. That is something we should leave to the States. If we did that and left the hard-working people's money at the State level, we would be able to do a lot more than we're currently doing.

But I want to point out the fact that we should be dealing with the American Energy Act. We had a chance this week to do that, and we refused. Bipartisan passage of the American Energy Act would demonstrate to the world that America will no longer keep its rich energy resources under lock and key as the Democrats want to do. Not only will it help bring down the price of gasoline now, but it will make needed investments in the alternative fuels that will power our lives and our economy in the future.

Now as my colleague also mentioned earlier, there's been a very fine survey done. Mr. Chairman, I would like to submit the entire survey for the RECORD today. I want to just point out some of the things that came out in the survey that my colleague had not pointed out.

This survey was launched in July by the Republicans on the Education Committee. It was provided via the Caucus Web site and was sent to education stakeholders all across the country. We asked those people to give us their reactions and the impact on the high cost of energy to the schools. Ninety percent of the people who responded indicated that high gas prices are having an impact on schools in their community. Ninety-six percent of these respondents demanded that Congress do more to address the energy crisis.

"Nearly half of the respondents reported that high fuel costs have forced schools in their community to cut field trips and after-school activities; one-third of respondents reported that high costs forced schools to limit bus routes, and nearly a quarter of respondents reported that rising energy costs have led to higher school lunch prices."

We don't need to create more programs to encourage students to go on field trips. They're not going to be able to go on field trips because there's no

money to buy gas for the buses to take them on field trips.

This is just one of the most ridiculous things that we've been talking about in this session of Congress.

"Since Democrats took control of Congress"—and I'm quoting again from the survey—"in January 2007"—they took control of Congress, and I think it's very important the American people know who's in charge—"the energy crunch has been swift and severe. Gas prices have risen from an average of \$2.33 per gallon in the first days of the Democrat majority to more than \$3.75 per gallon today while diesel prices—particularly important for school transportation purposes—have risen from \$2.44 a gallon to more than \$4 per gallon today."

Even the liberal New York Times has talked about the problem that the schools are facing. We don't usually find ourselves agreeing with the New York Times on issues, but they talked about the pain that schools are feeling. "As the cost of diesel fuel has soared well past what many districts budgeted for last spring, school officials are rethinking their transportation needs, making big-ticket spending cuts and a host of surgical trims."

They go on to quote, "In a national survey of superintendents released in July by the American Association of School Administrators, 99 percent said that rising fuel costs had forced across-the-board cuts." This was the New York Times, September 5, 2008.

Here we are setting up programs, new programs, that cost a lot of money in bureaucracy and administration to try to do something we could do very, very easily by passing the American Energy Act.

□ 1530

That's all within our power here to do, and here are some individual comments in their own words from Americans who demand energy reform.

This is from Robert in Hamilton, Ohio: "Yes, drill, build new refineries, solar, nuclear and anything else to break the dependence on foreign oil."

That is exactly the position of Republican Members of this House. We want to break our dependency on foreign oil and we can do this. We are pro-American energy. Our colleagues, the Democrats, are anti-American energy. They will not do things that help us increase the supply in this country.

Here's another comment from Lori from Middletown, Ohio: "I work at (a local) Head Start program. Our families are struggling to get their children to preschool. They must choose between gas in the car or food in many cases."

I listened to these platitudes by our colleagues across the aisle, and frankly, they sound pretty hollow to me when we hear comments like this. The American people are suffering. They are doing nothing.

Another comment from Reeves in Gastonia, North Carolina: "The rising

cost of energy is impacting our school district in many ways: pupil transportation, employee travel, staff development, cost of goods/services, et cetera. It is getting increasingly difficult to reduce costs and not have an impact on the instructional day."

Again, the American people are hurting and the Democrats are turning a deaf ear.

From Thomas from Joelton, Tennessee: "We have to increase the supply of domestic oil. When my family grew in size, I did not reduce the amount of food provided to each member, I increased the supply. Gasoline is the same way."

The American people are very, very smart and the Democrats are selling them short. They understand the issue. They understand that the issue is supply and demand, and this report concludes:

"Education stakeholders overwhelmingly report they are being hurt by the energy squeeze and demand that Congress do more. But instead of doing more, rank-and-file Democrats voted overwhelmingly with their leadership to kill a Republican measure that would have given schools relief and continue to block a comprehensive plan to bring down fuel prices. The House Republicans' 'back-to-school' energy survey confirms a New York Times report from earlier this month: 'School officials are rethinking their transportation needs, making big-ticket spending cuts and a host of surgical trims.' How much longer will the Democrat-led Congress wait to give them—and families, seniors, and small businesses—the relief they are demanding from today's high energy costs?"

It is time that the Democrats listened to the will of the American people and provide an opportunity for us to provide more supply for the American people and give relief to them.

I say to them again, you're either pro-American energy or you're anti-American energy. So far, the position you've taken is anti-American energy, and I don't believe that's where the American people want you to be.

STRAPPED: STUDENTS AND SCHOOLS PAY THE PRICE FOR DEMOCRATS FAILED ENERGY POLICIES

#### SUMMARY AND KEY FINDINGS

A survey launched in late July by House Republicans has yielded some eye-opening results as the Democratic leadership of the 110th Congress has refused to allow a vote on the House Republicans' American Energy Act (H.R. 6566), which aims to lower gas prices by increasing production of American energy, encouraging more conservation and efficiency, and promoting the use of more alternative and renewable fuels.

The survey—provided via the Education & Labor Committee Republican caucus' website—was made available to education stakeholders across the country, from parents and students to teachers and administrators and sought their input on the impact of today's high gas prices on schools, colleges, and universities as the 2008-09 academic year begins. Key findings of the survey follow:

90 percent of the survey's nearly 1,000 respondents indicated that high gas prices are

having an impact on schools in their community.

96 percent of respondents demand that Congress do more to address the energy crisis.

Nearly half of respondents reported that high fuel costs have forced schools in their community to cut field trips and after-school activities; one-third of respondents reported that high costs forced schools to limit bus routes, and nearly a quarter of respondents reported that rising energy costs have led to higher school lunch prices.

In spite of these stark findings, the Democratic leadership of the House has refused to schedule the American Energy Act for a vote and defeated Republican proposals on June 4, June 26, and September 16, 2008 to assist schools feeling the greatest impact from high energy costs. In fact, the Democrat-led Education & Labor Committee has not even held a single hearing on this issue.

#### SCHOOLS FEEL THE PAIN OF HIGH ENERGY COSTS

American families, seniors, and small businesses are hurting amid high gas prices and heating costs that are poised to rise this fall and winter. But they are not alone. As schools across the country settle into the 2008-09 academic year, they too are feeling the pain of today's energy crunch. Indeed, from elementary and secondary schools to community colleges and universities, schools at every level are grappling with this crisis and making all-too-often painful adjustments just to get themselves through the year.

Since Democrats took control of Congress in January 2007, the energy crunch has been swift and severe. Gas prices have risen from an average of \$2.33 per gallon in the first days of the Democratic Majority to more than \$3.75 per gallon today, while diesel prices—particularly important for school transportation purposes—have risen from \$2.44 per gallon to more than \$4.00 per gallon today.

Simply put, the surge in energy costs has been dramatic, and the Majority has yet to offer the "commonsense plan" to lower gas prices then-Minority Leader Nancy Pelosi (D-CA) promised during the 2006 campaign season. Instead, the Speaker and her colleagues in the Democratic leadership have offered one "no energy" bill after another—proving themselves more interested in votes to provide political cover for vulnerable Democrats than they are in giving the American people an "all of the above" energy strategy to lower fuel costs. And all the while, families, seniors, small businesses, and—yes—schools are left to pay the price . . . literally.

Earlier this month, the New York Times put the pain schools are feeling into perspective:

"As the cost of diesel fuel has soared well past what many districts budgeted for last spring, school officials are rethinking their transportation needs, making big-ticket spending cuts and a host of surgical trims."

"Some districts are eliminating field trips and after-school buses. Many are consolidating routes, causing some students to walk farther to their stops and others to lose their buses altogether. They are holding off on new teachers, counselors and textbooks, and teaming with neighboring districts for pre-kindergarten, special education and private school transportation . . ."

"In a national survey of superintendents released in July by the American Association of School Administrators, 99 percent said that rising fuel costs had forced across-the-board cuts." (New York Times, "Fuel Prices Squeeze School Districts," September 5, 2008)



# HOUSE REPUBLICANS LAUNCH INNOVATIVE "BACK-TO-SCHOOL ENERGY SURVEY"

To help understand the scope of this problem, House Republicans launched a web-based initiative in late July focused on how high energy prices are impacting schools all across the nation. Housed at the Education & Labor Committee's Republican website, this survey gathered input from school officials, teachers, and families over a period of six weeks to determine the extent of the energy crisis for schools at all levels—input that Republicans hope will provide both parties even more of an incentive to come together in these final days of the 110th Congress and pass an "all of the above" plan to increase American energy production, encourage more efficiency and conservation, and promote the use of alternative and renewable fuels. The survey follows:

1. Are high gas prices having an impact on back-to-school preparations in your community?

Yes, a very significant impact.

Yes, somewhat of an impact.

No, not much of an impact.

No, not at all.

2. If you answered "yes" above, how are your local schools coping with high energy prices?

Limiting bus routes.

Cutting field trips/after-school activities.

Increasing school lunch prices.

Moving to a four (or fewer) day week.

Expanding online course offerings.

Other (please describe below).

3. Should Congress be doing more to lower gas prices and promote long-term American energy independence?

Yes.

No.

No comment.

4. Additional comments:

5. Name:

6. E-mail (optional):

7. City, State:

8. May we share your story with others?

## OVERSTRETCHED SCHOOLS WANT ACTION FROM DEMOCRATIC CONGRESS

The above-referenced New York Times article depicts the types of problems being experienced nationwide. In fact, according to the "back-to-school" energy survey, 90 percent of all respondents indicated that high gas prices are having an impact on schools in their community (72 percent responding that gas prices are having "a very significant impact," with 18 percent responding that they are having "somewhat of an impact"). The most common ramifications of high fuel costs are cutting field trips and after-school activities (provided by 48 percent of respondents), limiting bus routes (33 percent), and increasing school lunch prices (23 percent).

As a result, nearly every respondent to the survey (96 percent) indicated that Congress should be doing more to lower gas prices and promote long-term American energy independence. Congress, however, has not answered the call, in spite of the fact that House Republicans unveiled the comprehensive American Energy Act to lower fuel prices nearly two months ago. Democrats also turned back a House Republican effort to provide more funding to assist schools dealing with high energy costs.

## HOUSE REPUBLICAN PROPOSALS FOR REFORM DEFEATED BY DEMOCRATIC MAJORITY

As the recently-completed survey suggests, schools across the country are feeling the pain from rising energy costs. Even before the survey was launched, however, House Republicans attempted to provide more assistance to those schools feeling the greatest pain from today's energy crunch.

On June 4, 2008, the Democratic leadership scheduled for House consideration the 21st

Century Green High-Performing Public School Facilities Act (H.R. 3021), a bill that takes \$20 billion in taxpayer dollars away from low-income students and students with disabilities and creates a massive, unproven school construction program run by bureaucrats in Washington. During consideration of the legislation, Rep. Cathy McMorris Rodgers (R-WA) offered a motion to recommit proposal to allow schools that have seen their energy costs rise by more than 50 percent since January 4, 2007—Rep. Pelosi's first day as Speaker—to use funds under the bill to help cover their energy expenditures. Unfortunately, Democrats killed the proposal, leaving the schools to fend for themselves. (Rollcall Vote 378, with 225 Democrats voting against the proposal.)

On June 26, 2008, during consideration of the Saving Energy Through Public Transportation Act (H.R. 6052), Democrats blocked a Republican proposal to assist rural schools and students. The measure—offered by Rep. Greg Walden (R-OR)—would have required that in any area where school bus services are being cut back because of high fuel prices, the funds under the Democratic bill must be used to help restore those services. Walden's proposal gave preference to rural and suburban areas where school buses have to travel greater distances to transport students. (Rollcall Vote 466, with 217 Democrats voting against the proposal.)

On September 16, 2008, Democrats turned back a bipartisan plan—co-sponsored by 38 Democrats, 24 of whom inexplicably voted against it—that would have aided schools suffering from the effects of the energy crisis as well. During consideration of the Democrats' so-called Comprehensive American Energy Security and Consumer Protection Act (H.R. 6899), Rep. John Peterson (R-PA) offered a bipartisan plan he originally authored with Rep. Neil Abercrombie (D-OH) to begin taking steps toward lower gas prices and energy independence. The plan, in part, would have enabled states to enter into revenue-sharing agreements with the federal government as part of increased energy production far off of their coasts. Under the bipartisan plan, states would be permitted to use revenues to increase funding to schools feeling the impact of the energy crunch. But once again, the Democratic Majority blocked the plan, depriving schools of critical funding to help them cope with rising energy costs. (Rollcall Vote 598, with 216 Democrats voting against the proposal.)

## IN THEIR OWN WORDS: AMERICANS DEMAND ENERGY REFORM

Following is a sampling of remarks left by respondents to the "back-to-school" energy survey detailing exactly what parents, teachers, and students are facing while the Democratic Congress refuses to act on meaningful legislation to bring down gas prices and other energy costs:

"Yes, drill, build new refineries, solar, nuclear and anything else to break the dependence on foreign oil."—Robert from Hamilton, OH.

"I work at [a local] Head Start program. Our families are struggling to get their children to pre-school. They must choose between gas in the car or food in many cases."—Lori from Middletown, OH.

"The rising cost of energy is impacting our school district in many ways: pupil transportation, employee travel, staff development, cost of goods/services, etc. It is getting increasingly difficult to reduce costs and not have an impact on the instructional day."—Reeves from Gastonia, NC.

"What are schools to do? The price of diesel, which most school buses use, is even higher than the price of gasoline. The option of passing or even sharing the cost of the

fuel increase with the consumers (parents) is not an option. Levies are increasingly more difficult to pass. Field trips and busing for athletics are either eliminated or the parents are charged a fee to help offset the transportation cost. Lengthening the school day and providing a 4-day week is vehemently opposed by many parents who do not want to pay for child care for that 5th weekday the child would not be in school. Freezing wages and cutting back on insurance benefits for teachers and support personnel deters people from teaching at a time when the country desperately needs to be focusing on Math, Science and Technology so its students are better prepared for employment in our global economy . . . I repeat—what are schools to do?"—Shari from Medway, OH.

"We cannot believe Congress went on vacation. We must have a complete policy. Drill for oil, build new refineries, build nuclear plants, and anything else that will work. Everything is being affected, cost of groceries and all other goods. Please help. Keep up the fight for us. We need an energy policy."—Ruth from Vacaville, CA.

"We have to increase the supply of domestic oil. When my family grew in size, I did not reduce the amount food provided to each member, I increased the supply. Gasoline is the same way."—Thomas from Joelton, TN.

"As an educator I am very concerned on the impact of budget cuts for all students and staff operating in our school system."—Tessa from Waleska, GA.

"Being a rural community where most of the students come to school on buses, high fuel prices cause a big problem."—Edward from Wapato, WA.

"The high price of fuel and energy costs [has] significantly reduced the amount of funding we have for educating our children to be competitive in a world class economy."—Pam from Medical Lake, WA.

"Every school child that I know has had their bus route increased. My 6 year old is now on the bus for more than 2 hours a day."—Claudia from Stevenson Ranch, CA.

"This year we may not be able to go on any field trips because the school bus rates have gotten so expensive. Families are having a tough time as it is. It is sad because the kids are missing out on those experiences."—Tar from DeLand, FL.

## CONCLUSION

Education stakeholders overwhelmingly report they are being hurt by the energy squeeze and demand that Congress do more. But instead of doing more, rank-and-file Democrats voted overwhelmingly with their leadership to kill a Republican measure that would have given schools relief and continue to block a comprehensive plan to bring down fuel prices. The House Republicans' "back-to-school" energy survey confirms a New York Times report from earlier this month: "School officials are rethinking their transportation needs, making big-ticket spending cuts and a host of surgical trims." How much longer will the Democrat-led Congress wait to give them—and families, seniors, and small businesses—the relief they are demanding from today's high energy costs?

Mr. SARBANES. Mr. Speaker, I want to share with the gentlewoman that I am and I know my party is pro-American energy. In fact, the more I listen to testimony on the other side, the more convinced I am that this legislation that we're debating right now is exactly what we need to make sure that the advances with respect to energy technology are there.

With respect to education stakeholders and their view of No Child Left

Inside, this is a list of over 700 organizations nationally representing 40 million members. Many of these organizations are education organizations who understand how important it is for our young people to get this sort of opportunity.

We can all agree, Democrats and Republicans, in this debate that we've been having over energy for the last few weeks and months that it's important for us to develop alternative sources of energy, renewable sources of energy. To do that, of course, we're going to need the scientists and the entrepreneurs who can make it happen, and they are not going to land on a spaceship from outer space. We are going to have to develop them right here, and the next generation is where we are going to find those scientists and those entrepreneurs that are going to make those sort of advances. But they are not going to be able to do it if we don't put the resources behind the kind of environmental education that this will provide.

And then just the last point I wanted to make is, yes, there are field trips that will be funded by this, but a lot of what this has to do is getting kids outside, and you don't have to take a bus from inside of the classroom to outside of a classroom. You can walk. And a lot of these young students are doing things right there in their own backyard, right there around their school, right there in a stream that's a quarter mile away, and they can use the walk. The idea is to get them outside and experiencing the environment.

It is my pleasure now to yield 2 minutes to the gentlewoman from New York (Ms. CLARKE), a member of the Education and Labor Committee and someone who brought a very important amendment regarding environmental justice to this bill in the committee.

Ms. CLARKE. Mr. Chairman, today I rise in support of H.R. 3036, the No Child Left Inside Act of 2008. The effects of global warming and climate change, as evidenced by wildfires, tornadoes, hurricanes, and floodings has been experienced by hundreds of thousands of Americans. These things, coupled with the energy crisis, are calling out for investment in renewable energy.

We must be ever cognizant that future generations will inherit a myriad of complicated environmental challenges. By encouraging schools to incorporate environmental education into their curriculum, H.R. 3036 will give future generations a solid understanding of environmental issues and a knowledge base that will equip and empower them with the tools needed to overcome the environmental problems that plague our civil society and our environs.

I am pleased to have language from my bill, H.R. 5902, the GREEN Act, incorporated into this bill. My bill's language would give schools the option of integrating an environmental justice curriculum into their own educational program.

Located in my congressional district, the Brooklyn Academy of Science and the Environment provides an innovative example of how environmental justice concepts can be used as an integrating context for learning. Created through a partnership with the Brooklyn Botanic Gardens, Prospect Park Alliance, and the New York City Department of Education, this is one of New York City's first public environmental education high schools.

In closing, I want to thank Congressman SARBANES for being a champion for America's scholars and for his consistent leadership on environmental education and for including my bill, H.R. 5902, as part of the No Child Left Inside Act of 2008, a bill that I believe will greatly transform our Nation in the years to come.

Mr. McKEON. Mr. Chairman, I am happy to yield at this time 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank the gentleman for yielding to me.

I am rising in support of H.R. 3036, the No Child Left Inside Act, which would authorize a grant program to provide States the resources to include environmental literacy education programs in their K-12 curriculum.

Protecting the environment is one of the most important jobs I have as a Member of Congress. We simply will not have a world to live in if we continue our neglectful ways.

It is imperative we instill the need for environmental responsibility upon the next generation, and I can't think of a better place to foster a sense of environmental stewardship than in the classroom.

Just this week, Congress finally debated a bill to begin reducing our dependence on foreign oil and encouraging alternative energy solutions. The repercussions of the debate we had this week will not be dealt with by us, but rather, by our children. By ignoring our environmental and energy crisis for so long, we have passed significant challenges on to the next generation to find solutions. The time to invigorate our youth to tackle these challenges is now.

I have heard from teachers and school administrators throughout Connecticut's Fourth Congressional District, and from across the country, who have felt a narrowing of school curricula in the wake of No Child Left Behind's (NCLB) high stakes testing requirements. It seems to me this bill should have been considered in the context of a larger No Child Left Behind reauthorization. Unfortunately, the majority has yet to bring comprehensive reform to the floor for consideration, and I am hopeful these types of curricular enrichments remain a priority as we work towards reauthorizing this critical bill.

In the absence of reauthorization efforts this Congress, I am pleased we are providing the resources school districts need to enrich their curricula and cul-

tivate an awareness of environmental issues in our public schools.

I support No Child Left Behind because it is forcing us to improve and deal with gaps in our public education, but I realize there are several improvements that need to be made in the reauthorization process. I look forward to a reauthorization of this bill that reevaluates priority curricula to ensure our students are not only achieving in the areas of math, reading, and science, but are well-prepared to engage in a 21st century, global society.

Mr. SARBANES. May I inquire as to whether the other side has any more speakers?

Mr. McKEON. I will be concluding for our side, if we could inquire how much time we have left.

The CHAIRMAN. The gentleman from California has 5½ minutes remaining. The gentleman from Maryland has 12 minutes remaining.

Mr. SARBANES. Mr. Chairman, I will reserve my time to allow the gentleman to close.

Mr. McKEON. Mr. Chairman, I yield myself the balance of my time.

One week before the 110th Congress is scheduled to adjourn, we are devoting precious legislative hours to debating a noncontroversial bill to extend a minuscule environmental education program for 1 year. I think we all agree that environmental education is important now and for future generations, and I want to commend the gentleman from Maryland (Mr. SARBANES) for the work that he's done on this bill. I think, as he has eloquently stated, environmental education is very important. But how we spend our time in this Chamber is a reflection of our priorities, and today, our priorities are all wrong.

Chairman MILLER and I work well together on the Education and Labor Committee, and we often reach agreements before bills are brought to the floor. On this bill, we worked together to resolve our differences, and we agreed that while important, this bill was straightforward and noncontroversial—most of our Members will vote for it—enough that it should be considered on the suspension calendar. I believe that two-thirds of this body would easily have supported the legislation, making these hours of debate unnecessary.

For whatever reason, whether to mask their continued failure to offer comprehensive energy solutions or simply to avoid a debate on the issue altogether, the majority has opted to bring this bill to the floor today under a rule. So let me just take a moment to reflect on H.R. 3036.

The Federal Government has a role to play in education. That role is to provide support and assistance to ensure that all children are provided a quality education. It is to support the academic achievement of disadvantaged children, children with disabilities, and other at-risk students who might otherwise be left behind. In pursuing these goals, we must be careful

not to create too much bureaucracy nor too many Federal programs that could undermine local control.

That's why I appreciate the efforts that were made to limit the scope of this bill, extending an existing program at the EPA and supplementing it with similar activities through the Department of Education rather than establishing a massive new environmental education bureaucracy as some had originally proposed.

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This is a reasonable bill, and at the end of the day, I will support it. But, Mr. Chairman, if I had my choice, we would not be here debating this legislation today. Although environmental education is important, this Congress has a limited amount of time to challenge our mammoth problems facing this Nation.

As of a few minutes ago, when we found we won't be in session tomorrow, if we work all of next week, we will have 5 days left to finish the work of this Congress. Instead of tinkering around the edges of an existing environmental education program, we ought to be debating comprehensive, all-of-the-above approaches to reform our Nation's energy policy and put America on the path to energy independence.

Here we are, going into the last week of this Congress. We've been here 2 years, we only have now 13 days of work scheduled for the last 5 months of this year—and that, after our Democrat leadership, during the last election, said that we would be a harder working Congress, we would be a more open Congress, we would be one that would follow regular order, we would be open to the way this House was meant to function.

At this point, we have not passed one spending bill. The spending bills that were passed last year run out on September 30, the new year starts October 1, and not one spending bill to continue to fund the Government through the next year has yet been passed. We did pass one on this floor, but not one has been passed through the whole process—the House, the Senate, and been sent to the President's desk, not one spending bill.

I guess the people throughout the country will be watching and seeing what happens on October 1. Will the Government be shut down? I don't know. I don't know how they plan to solve this problem. I just know that at this point they have not brought one spending bill to completion for the President to sign.

We have not finished our work on this committee on No Child Left Behind. That was a very, very important piece of legislation. We worked on it last year. We haven't talked about it for over a year now. And I guess that's just going to be let go into next year, when a new Congress will be here.

I am greatly disappointed, Mr. Chairman, with the work product of this

Congress. We had the ability. We had new leadership that came in with lots of promises, lots of enthusiasm, lots of things that were going to be done to make things better for the American public. The most important issue facing us today is the energy issue. Every one of us in America sees that every day when we fill our tanks or at least drive by the gas stations and see how the price has gone up—or maybe down a couple cents, depending, but it's a couple dollars more than it was when the Republicans were in charge here a couple years ago.

We had the opportunity this year, even this week, to address an all-of-the-above energy solution: More conservation, more alternative fuels, more biomass, more wind, more solar—yes, and more oil, more coal, more shale.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SARBANES. Mr. Chairman, the desire to move forward with the reauthorization of No Child Left Behind is one that certainly we shared on this side of the aisle, and we are prepared to do that this year. The problem is that the administration, for the last 2 years, sent budgets which suggested there wasn't going to be the resources behind that effort that needed to be there, and so we're where we are. But that doesn't mean that we can't, as we're going to do with this bill, begin to set the table for what can be a very comprehensive and meaningful reauthorization of the Elementary and Secondary Education Act next year. And what I'm so excited about is, if we put our stamp on this bill today, we're going to be sending a very powerful message that environmental education should be part and parcel of that reauthorization next year.

I would like to thank, again, the members of the No Child Left Inside Coalition, as I noted, over 700 organizations across the country representing upwards of 40 million people. These are folks who just want to see this happen. They understand how important it is to get our children outdoors and into nature. I want to thank them for all the work that they did to make this possible, to get this to the floor. It would not be here without the work that they have done.

I want to close by noting some of the benefits of this. I've talked about the contents of the bill, but I want to talk more generally about the benefits that it offers.

Many of the witnesses that we heard from, many of the advocates who are behind this bill are public health advocates. They're pointing to epidemic levels, for example, of childhood obesity that we see now across the country. Kids just aren't active. One of the benefits of getting children outdoors, getting them engaged in environmental activities is they start to become more active, and that is going to be good for their health and the health of our Nation.

We've talked about the economic development benefits; that environ-

mental education spurs interests, it leads to children wanting to go into science, into technology, and so forth. And so we are going to be unleashing a tremendous economic potential if we put resources into the No Child Left Inside Act.

It is a great way for kids to learn. There is all the evidence that shows that when kids are outdoors, it activates all their senses, it fully engages them, and their performance increases across the board because of that experience. And of course it raises awareness in the next generation of the environment and the need to preserve our environment. The fact of the matter is that the only way we're going to save our environment, the only way we're going to preserve treasures like the Chesapeake Bay in the State of Maryland is if millions of people develop good habits in dealing with the environment. That's what we can impart to our young people, to the next generation.

Let me just finish with two articles, or anecdotes. The first is from the Rochester, Minnesota Post-Bulletin. It's an article titled, "Program urges kids to ditch couches for canoes." It talks about a program that a woman named Sara Grover founded, Project Get Outdoors, where she brings kids outside. She talks about a fifth grader on his first camping trip. She said he was practically crying and he said, "This is the best day of my entire life." There are a lot of good days ahead for a lot of great kids if we get this legislation in place.

Just to put a punctuation mark on this notion of kids going into science as a result of their experiences outdoors, I just got this e-mail on my BlackBerry notifying me that a young man from my district was named a finalist in the science competition for middle school students. His project was, "The Effectiveness of Limestone Aggregates to Mitigate Acid-Mine Drainage." He came up with the idea for this project while rafting and kayaking on the Cheat River in West Virginia.

This is what I'm talking about. This is what's going to happen if we provide our children, our young people, the next generation with the environmental education that they deserve and integrate it fully into the instructional program in their schools.

That's why I'm supporting this bill. That's why I introduced it. That's why the coalition of advocates that supports it is so excited about it. I urge this House to pass H.R. 3036, the No Child Left Inside Act.

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to H.R. 6604, the Commodity Markets Transparent Accountability Act.

Before I outline my opposition to this legislation, I want to be clear that I am seriously concerned about the cost of oil and the cost Americans are paying at the pump. To this end, I have been proud to support a series of other bills that this House has considered to

help bring down the cost Americans are paying at the pump as well as efforts to create new alternative and renewable sources of energy. I have been a long-term supporter of reforming the royalties the oil and gas industry pays for the natural resources they extract from public lands. Last year I was proud to stand with my colleagues as we, for the first time in a generation, increased the fuel efficiency standards on cars sold here in the United States. Just yesterday, I was pleased to vote in favor of H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act. The legislation is a bold step forward, helping end our dependence on foreign oil and increase our national security. It launches a clean renewable energy future that creates new American jobs, expands domestic energy supply—including new offshore drilling—and invests and builds more efficient vehicles, buildings, homes, and infrastructure. It will lower costs to consumers and protect the interests of taxpayers. It is a comprehensive strategy and the product of bipartisan compromise.

I want to be clear that I am completely opposed to energy manipulation, which is a crime, but what we are talking about here is the role of legitimate investors in the commodities market. To that end, my main concern with this legislation is that it would crack down on legitimate trading practices, resulting in the loss of American jobs.

Additionally, I am concerned that this legislation will significantly reduce liquidity in the U.S. futures and derivatives markets and drive trading overseas at a very precarious time for U.S. financial markets. This legislation also could create legal uncertainty and could also increase market disruption in the over-the-counter, OTC, markets. Moving this trading overseas and creating legal uncertainties could result in lost jobs here in the United States, especially for our constituents who work in these markets. At a time we are fighting to keep New York City and the United States as the financial capital of the world, any measure that could cost our economy quality jobs without providing any benefit in return is not a measure I can support.

Joining me in my skepticism that speculators have been able to manipulate the oil market is what many may consider an unlikely source, Paul Krugman of the New York Times.

In a May 12, 2008 column, titled "The Oil Nonbubble", Krugman writes:

"The only way speculation can have a persistent effect on oil prices, then, is if it leads to physical hoarding—an increase in private inventories of black gunk. This actually happened in the late 1970s, when the effects of disrupted Iranian supply were amplified by widespread panic stockpiling.

But it hasn't happened this time: all through the period of the alleged bubble, inventories have remained at more or less normal levels. This tells us that the rise in oil prices isn't the result of runaway speculation; it's the result of fundamental factors, mainly the growing difficulty of finding oil and the rapid growth of emerging economies like China. The rise in oil prices these past few years had to happen to keep demand growth from exceeding supply growth."

To be clear, I stand ready to support legislation that will reduce the cost Americans are paying at the pump, and I am fully in support of efforts to create new, affordable and renew-

able energy options that will move us towards energy independence. However, this legislation, while certainly well intentioned, could potentially create more harm than good and lead to the loss of American jobs.

Mrs. BACHMANN. Mr. Chairman, today, the House will consider H.R. 3036, the No Child Left Inside Act. I rise in strong opposition to this legislation.

First of all, H.R. 3036 continues our Nation down the ill-fated road of shifting control of school curricula away from the parents and teachers and local school boards who best know what their children need into the hands of Federal Government and its one-size-fits-all approach. To best serve our children's educational needs, local school boards need flexibility to target resources where they are needed most—from school construction and class size reduction efforts to higher teacher salaries and technology in the classroom. The needs of individual school districts are dynamic and complex. They are not homogeneous and are most certainly not best understood by bureaucrats in Washington.

I fervently believe that parents and teachers and local school boards know best how to educate our children, and it is time for Congress to stop removing them further and further from the equation. Congress must move back down the path to control, accountability, and authority at a local level for education. H.R. 3036 leads us away from this crucial goal.

Furthermore, while I agree it is important to promote conservation and environmental literacy, especially as America faces a crippling energy crisis, I do not agree that public school is the place to do it. H.R. 3036 would simply add another layer of bureaucracy and Federal mandates to our Nation's already overburdened schools, displacing important educational building blocks with questionable environmental education programs. At a time when American test scores continue to lag behind our global counterparts, can we honestly say that we need less time for the fundamentals of reading, writing, arithmetic? Church groups, scouting, extracurricular organizations, and the family promote conservation, love of and respect for the outdoors, and environmental messages daily. Let the teachers teach; let parents instill values.

Finally, let us not forget that Congress has already allotted funds for environmental literacy through an Environmental Protection Agency, EPA, grant program. Since 1992, that program has allocated over \$40 million, or roughly \$2.5 million per year. H.R. 3036 would spend an additional \$14 million to create an additional grant program administered by a whole new executive branch agency, the Department of Education. Can there be any question that this represents an expansion of the Federal bureaucracy, a duplication of efforts, and a wholly irresponsible distribution of taxpayer dollars?

The No Child Left Inside Act represents a step in the wrong direction, adding the weight of increased Federal bureaucracy to an already sinking educational outlook. Forcing local school districts to direct scarce resources away from core curricula to serve a political agenda will only further suppress the academic performance of America's next generation. I urge my colleagues to oppose this legislation.

Mr. HONDA. Mr. Chairman, I rise today in support of the "No Child Left Inside Act," H.R. 3036.

The 21st century global economy increasingly requires scientific and environmental literacy. Unfortunately, due to the narrowing of curriculum under "No Child Left Behind," schools are struggling to offer a comprehensive curriculum inclusive of environmental education.

I applaud Representative SARBANES for championing H.R. 3036, to help ensure our students are prepared to make informed decisions that impact our future, and I am proud to be a cosponsor of this important bill.

I share the gentleman from Maryland's passion for environmental literacy and environmental education, which are also priorities in a bill I introduced, H.R. 1728, the "Global Warming Education Act."

I believe that education is essential to ensuring that the public understands both the short- and long-term environmental consequences of dangers such as global warming.

In my bill, I sought to establish a grant program to create educational materials, develop climate change curricula, and improve the dissemination of scientific developments in the area of global warming, along with providing practical learning opportunities for people of all ages and from diverse backgrounds.

The "No Child Left Inside Act" will also establish grants to help environmental education become more effective and widely practiced, and it will provide professional development and training for teachers to incorporate environmental education activities as part of school curricula.

It is critical that America fosters an environmentally aware citizenry equipped to make informed decisions that will ensure a secure environment for our future generations.

This is why I urge my colleagues on both sides of the aisle to recognize the importance of environmental education by supporting H.R. 3036.

Mr. VAN HOLLEN. Mr. Chairman, I rise today to support the No Child Left Inside Act. I thank my colleague from Maryland, JOHN SARBANES, for his efforts on this important initiative.

Mr. Chairman, our Nation faces great environmental challenges. We need to combat global warming, curb pollution, and expand conservation and energy efficiency. And to confront these challenges, we need to ensure that students graduate from our schools with an understanding of the environment. We need hands-on outdoor learning opportunities to inspire students to enter science fields and develop innovative solutions.

Today's bill extends the authorization for the National Environmental Education Act and enhances the Environmental Education and Training Program with teacher training and the opportunity for partnerships between teachers and working professionals in environmental fields. It also establishes the National Capacity Environmental Education Grant Program to assist States and local education agencies as they work to develop environmental literacy plans and student academic achievement standards. It encourages partnerships between states, schools, and institutes of higher education and creates and disseminates best practices for environmental education programs.

No Child Left Inside will give our students the opportunity to interact with and understand their environment. It will encourage their interest in science and prepare them to solve 21st century environmental challenges. I urge my colleagues to join me in voting for this bill.

Mr. BRALEY of Iowa. Mr. Chairman, I rise in strong support of H.R. 3036, the No Child Left Inside Act. This legislation is vitally important to better prepare our students for the environmental, energy and natural resource challenges facing our country, and also for the career opportunities these challenges open up.

Mr. Chairman, I am proud to represent Iowa's First Congressional District. Our district is noted for its rolling farmlands of corn, soybeans and other crops, our border on the Mississippi River, the largest river in North America, and for the businesses that have come to the Quad Cities, Dubuque, and the Cedar Valley. Our citizens have a deep appreciation and respect for our natural resources and recognize the important opportunities that are opening up in the fields of bio-energy and other agriculture-based, renewable energy resources. That's why I introduced the National Endowment for Workforce Education in Renewables and Agriculture Act to help our community colleges support the education and training of technicians in these areas. I was happy to see this bill included in the 2008 Farm Bill which was signed into Public Law.

I also recently toured the University of Dubuque's Environmental Science Education center, a great example of college level environmental education. This center provides college students with State, regional, and national benefit through educating undergraduate- and graduate-level students in the environmental sciences, and helping to create the next generation of science professionals. The Environmental Science Center allows the University to expand on its proven record of educating national scientific leaders. The Center specializes in hands-on, applied learning for current science teachers, environmental agency personnel, undergraduate environmental science majors, and education majors to teach the next generation of American scientists.

I'm proud to represent a University that has taken a leading role in educating the next generation of scientists and environmentalists, and I'm pleased to support this bill because schools like the University of Dubuque will benefit from the competitive grant program authorized in this legislation. These grants would be awarded to higher education institutions and would be used directly for the study of environmental education. The University of Dubuque could use this grant program to better improve their already succeeding Environmental Education Center.

In addition to higher education, we also need to ensure that our next-generation of leaders have a basic understanding of the environment and our natural resources, before they graduate from high school. These are the students currently in our elementary and secondary schools and the students who will be coming to our community colleges and universities in the coming years. This legislation will also provide learning opportunities for these students.

This bill authorizes much-needed resources to educate students at the K–12 levels about the environment, energy and natural resources and to help teachers, schools and school dis-

tricts provide the best experiences and instruction for their students. It would begin to implement the recommendations of several reports by the National Science Foundation, the National Environmental Education Advisory Council, and the National Council for Science and the Environment to enhance environmental education in our schools. And it would help improve student achievement and enthusiasm for learning as several studies have demonstrated.

Mr. Chairman, I rise in strong support of this legislation that will improve environmental education for both K–12 students, and students in our Nation's colleges and universities. I urge my colleagues to join me in supporting this legislation.

Mr. HOYER. Mr. Chairman, I rise today in support of H.R. 3036, the No Child Left Inside Act. This legislation, introduced by Representative JOHN SARBANES, would provide sorely needed assistance to States, elementary and secondary schools and others to help teach our children about the environment and instill within them an appreciation and sense of stewardship for our planet.

The case for extending and enhancing environmental education is quite clear. Several recent studies indicate that students perform better in science, reading, math and social studies, when environmental education is integrated into the core curricula. Indeed, Hollywood Elementary School, located in Maryland's 5th Congressional District, was part of an intensive study by the State Education and Environment Roundtable published in 1998 that documented how 40 schools in 12 States achieved remarkable results by implementing an environmental education program. The study also found that environmental education increased students' enthusiasm for learning and enhanced their creative thinking skills.

Getting kids outdoors to exercise, play and experience their natural world is also an important tool to prevent childhood obesity, reduce attention deficit disorder, and address other related health problems. Research shows that kids today are spending more than 6 hours a day inside plugged in to electronics—but only minutes a day outdoors. That could have serious consequences for our children's physical and mental development.

Just as important, environmental education prepares children to be responsible stewards and citizens. We face enormous environmental challenges including global warming and pollution in the Chesapeake Bay. To take on those challenges, the next generation needs a solid understanding of environmental Science.

But even though environmental education is desperately needed, for all of those reasons, our Nation has seen it go into decline. In recent years, the overall level of federal support for environmental education in both policy and funding has unfortunately been woefully inadequate.

The No Child Left Inside Act seeks to remedy this situation by providing new support and funding for environmental education in the Nation's public schools in three areas: teacher training, enhanced programs, and the development and implementation of State environmental literacy plans.

Specifically, this legislation reauthorizes the National Environmental Education Act of 1990 and authorizes funding for the Environmental Protection Agency's Environmental Education

and Training Program. It also creates a new National Capacity Environmental Education Grant Program to be administered by the Department of Education, awarding matched grant funds to local and State educational agencies, colleges and universities, and non-profit groups to develop curricula, disseminate information about model programs, and increase the number of environmental educators.

Our looming environmental problems demand a strong generation of scientists, researchers, public servants, and citizens. By passing this bill, we can help to build that generation and improve our children's health and quality of life at the same time.

I commend Representative SARBANES for introducing this measure and I urge my colleagues to join with me in voting for the No Child Left Inside Act.

Mr. GRIJALVA. Mr. Chairman, I wish to express my strong support of H.R. 3036, the No Child Left Inside Act, and the opportunities it provides students for a strong environmental education. I have been a strong supporter of the No Child Left Inside Act. As a member of Education and Labor and Chairman of the Subcommittee on National Parks, this act represents an important confluence of my interests, and I am happy to support this legislation. I attended the field hearing for this legislation, and have taken a personal interest in its passage through the many steps it has taken to the floor. Though I am unable to participate in the vote on final passage today, I wish to make it clear that I remain a steadfast proponent of the No Child Left Inside Act, and am pleased with its consideration by the House today.

This act will promote environmental literacy and hands-on educational experiences, while at the same time promoting core learning of critical skills. These programs have also been linked to meaningful improvements in student cooperation, conflict resolution, motivation to learn and positive behavior. Additionally, these programs add to the encouragement of a healthy and active lifestyle of outdoor recreation.

No Child Left Inside promotes environmental literacy where it is most effective—in nature. This, in turn, promotes children's health, increases their knowledge of the natural world, and encourages students' interests in the lesson. NCLI provides educators with the necessary skills to teach environmental education, and provides grants for State and local agencies to acquire the needed capacity for effective environmental education.

The benefits of this program have a measureable impact on students' core curriculum—improving performance in science, math, reading and social studies. The No Child Left Inside Act is important for our environment, as it educates the next generation, who will inherit a planet whose fragile habitats will increasingly need our help and protection.

Mr. HARE. Mr. Chairman, I rise today in strong support of H.R. 3036, the No Child Left Inside Act, introduced by my good friend and freshman colleague, Representative JOHN SARBANES of Maryland.

Mr. Chairman, global warming is one of the greatest environmental challenges facing our Nation today. But, as the impact of global warming becomes more and more visible, our children are increasingly disconnected from nature and the world around them.

Kids today spend less time playing outdoors than any previous generation. The Kaiser Family Foundation found kids ages 8 to 18 spend an average of 6½ hours a day glued to the TV, playing video games, surfing the Internet, and talking on cell phones, leading to what has been called a “nature deficit disorder”.

The No Child Left Inside Act addresses critical environmental challenges by strengthening and expanding environmental education in the classroom. This bipartisan bill provides schools with more resources and teacher training for environmental education.

Using environmental education in the classroom, we can transform playgrounds and parks into learning laboratories and recapture the interest and enthusiasm of students in the world around them.

Not only has environmental education raised test scores in math and reading, but it has also inspired school age children to become future stewards of the Earth.

Mr. Chairman, H.R. 3036 is an important step toward combating childhood obesity, promoting an environmentally-conscious society and improving the health of our planet.

I am proud to be a cosponsor of this bill, and I strongly urge my colleagues to vote for the No Child Left Inside Act.

Mr. LANGEVIN. Mr. Chairman, I rise in strong support of H.R. 3036, the No Child Left Inside Act, which would amend the Elementary and Secondary Education Act of 1965 to promote the expansion and development of environmental education in our classrooms from kindergarten to grade 12.

Environmental education is so important for our students, especially with the growing crisis facing our climate. Yet across the country, these types of programs are facing cuts due to school budget woes. H.R. 3036 helps alleviate this problem by extending the National Environmental Education Act through 2009 and strengthening the Environmental Education Training program under current law. This legislation also establishes the National Capacity Environmental Education Grant Program, which would authorize the Secretary of Education to award 1–3 year competitive grants to nonprofit organizations, state educational agencies, local education agencies, or institutions of higher education.

The No Child Left Inside Act will help our students see the real world beyond the classroom and better prepare them for the 21st century. I am proud that my home State of Rhode Island already stands out in this area because of its steadfast commitment to protecting its resources—the Narragansett Bay, beaches, parks and forests, lakes and rivers, and other beloved spaces. Rhode Island has been ahead of the curve in promoting renewable energy sources and conducting climate change research. Now we must work to make sure this legacy is passed on to future generations. Just as we have worked in our cities and towns to preserve the environment, we must ensure that our national policies build on these actions. With so many teachers and students already involved, the No Child Left Inside Act will only boost our work in Rhode Island.

I would like to thank my colleague, Congressman SARBANES, for introducing this bill, as well as my colleague and fellow Rhode Islander, Senator JACK REED, for introducing the companion bill.

Mr. Chairman, this bill has bipartisan support and both environmental groups and schools are ready to implement these programs. I encourage my colleagues to support this bill.

Mr. BLUMENAUER. Mr. Chairman, I rise in strong support of H.R. 3036, the No Child Left Inside Act of 2008. This bipartisan legislation extends the National Environmental Education Act through 2009 and strengthens the Environment Education Training Program. It also establishes a capacity building grant program to help States and school districts expand environmental education.

Today's students are our future workforce and they must be quipped to face the myriad of challenges that threaten our Nation. Our country faces an energy crisis, air quality concerns, climate change, and diminishing natural resources. It is vitally important that environmental education become an integrated part of the curriculum, and that our students be trained in the tools necessary for future careers in green technology.

In my home State of Oregon, Portland State University has a renowned sustainability program that has just been boosted by a \$25 million foundation challenge grant. PSU already partners with schools throughout the community to teach children about environmental sustainability. Because of today's legislation, schools across the country will have similar opportunities as those students in Oregon to learn the value of our resources and gain the skills necessary to be key players in America's future green economy.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise today in full support of passage of H.R. 3036, the No Child Left Inside Act.

I worked with Chairman MILLER and Mr. SARBANES, the sponsor of the bill and a member of my subcommittee which has jurisdiction over environmental education.

It is a pleasure to support the professional development of environmental educators and expand the capacity of these teachers and the States in which they work to bring environmental education to our Nation's young people through this bill.

The No Child Left Inside Act seeks to improve the professional development opportunities of our Nation's environmental educators. We know that teachers make the difference in the educational experience of young people and their educational outcomes. By creating professional development opportunities that are meaningful and relevant for our teachers, they in turn will make environmental education meaningful and relevant for their students. These students evolve into the voting citizens who will craft our Nation's future. The bill contributes to ensuring a scientifically literate society through ensuring a more scientifically literate teaching force.

The National Academies of Science recently released a report titled “Public Participation in Environmental Assessment and Decision Making.” The first conclusion states that “When done well, public participation improves the quality and legitimacy of a decision and builds the capacity of all involved to engage in the policy process. It can lead to better results in terms of environmental quality and other social objectives. It also can enhance trust and understanding among parties. Achieving these results depends on using practices that address difficulties that specific aspects of the context can present.”

This is a description of democracy at work.

It is important to ensure that our society is scientifically literate and therefore capable of not only understanding, but critically assessing, scientific data and weighing the societal consequences of these decisions. Science education is critical for the future of our Nation. So many of the skills taught and utilized in science are used and necessary for success in the global knowledge economy. We know that students learn so much and may even be more inspired when presented with opportunities outside the classroom and programs like these are often what sparks a student's interest in science. H.R. 3036 has a role here.

Beyond professional development, the bill contains a grant program to make environmental education more effective and more widely practiced. These grants will have local, regional, and national impact, and will increase the number of young people who understand the importance of the environment and our interaction with it. To keep American competitive and number one, we must have a scientifically literate society, and H.R. 3036 works to ensure this. I ask my colleagues to join me in a yes vote on this bill.

Mr. HOLT. Mr. Chairman, I rise today in support of H.R. 3036, the No Child Left Inside Act of 2008.

Today our Nation faces a number of pressing environmental issues, including clean water, clean air, open space preservation, and the looming threat of global warming. Addressing these problems will become one of the dominant issues and challenges in the 21st century and our workforce needs the knowledge and skills to understand and address these complex environmental issues.

I would like to commend my colleague from Maryland, Representative JOHN SARBANES, for his hard work on H.R. 3036, to expand and enhance environmental education. This Federal investment in environmental education will help prepare our Nation's youth as responsible citizens who will value and protect America's resources and landscapes. Environmental education is about more than just science; these programs can be designed to have a positive effect in reading, math, and social studies.

Environmental education is best understood by those who have had the opportunity to touch it, breathe it, and live it. Where better to learn about the importance of our national resources than in our Nation's most special and protected places? Imagine seeing the effects of climate change firsthand at Glacier National Park rather than learning about it in the abstract in a classroom, or learning about the ecosystems in Great Swamps National Wilderness Refuge in my home State of New Jersey, or learning about the human genome project in Yellowstone where crucial breakthroughs about DNA were made.

As a member of the Committee on Education and Labor, I had the privilege of working on this legislation when it passed through our committee. My colleague from Indiana, Representative MARK SOUDER, and I successfully offered an amendment to H.R. 3036 which would allow schools and local education agencies to partner with Federal agencies, including national parks, when developing and administering their environmental programs.

I would like to share a letter of support from one of my constituents. John from Pennington,



New Jersey, wrote "As parents of a 7-year-old, we see how positive is the time he spends out back building his tree fort, or playing in Curliss woods, or attending summer camp at the Watershed . . . and how often his time before the TV seems deadening by contrast."

I firmly support H.R. 3036, and I urge my colleagues to support it.

Mr. SARBANES. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Ms. DEGETTE). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 3036

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "No Child Left Inside Act of 2008".

#### SEC. 2. NATIONAL ENVIRONMENTAL EDUCATION ACT AMENDMENTS.

(a) DEFINITIONS.—Section 3 of the National Environmental Education Act (20 U.S.C. 5502) is amended—

(1) in paragraph (12), by striking "and" at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(14) 'principles of scientific research' means principles of research that—

"(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

"(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

"(C) include, appropriate to the research being conducted—

"(i) use of systematic, empirical methods that draw on observation or experiment;

"(ii) use of data analyses that are adequate to support the general findings;

"(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

"(iv) strong claims of causal relationships, only with research designs that eliminate plausible completing explanations for observed results, such as, but not limited to, random-assignment experiments;

"(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

"(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

"(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions;

"(15) 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research;

"(16) 'State' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965; and

"(17) 'State educational agency' has the meaning given such term in section 9101 of the

Elementary and Secondary Education Act of 1965."

(b) ENVIRONMENTAL EDUCATION AND TRAINING PROGRAM.—Section 5 of the National Environmental Education Act (20 U.S.C. 5504) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting "creating opportunities for enhanced and ongoing professional development and" before "classroom"; and

(ii) by inserting "(including integrating scientifically valid research teaching methods and technology-based teaching methods into the curriculum)" after "practices";

(B) in paragraph (3)—

(i) by striking "curriculum, including" and inserting "curriculum (including";

(ii) by striking "groups;" and inserting "groups) which—"; and

(iii) by adding at the end the following:

"(A) are aligned with challenging State and local academic content standards to the extent such standards exist; and

"(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components;"

(C) in paragraph (7), by striking "and forums;" and inserting "forums, and bringing teachers into contact with working professionals in environmental fields to expand such teachers' subject matter knowledge of, and research in, environmental issues;"

(D) in paragraph (8), by striking "and" and inserting "including environmental education distance learning programs for teachers using curricula that are innovative, content-based, and based on scientifically valid research that is current as of the date of the program involved;"

(E) by redesignating paragraph (9) as paragraph (13);

(F) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(G) by inserting after paragraph (3) the following:

"(4) encouraging individuals traditionally under-represented in environmental careers to pursue postsecondary degrees in majors leading to such careers;" and

(H) by inserting after paragraph (9) (as so redesignated) the following:

"(10) establishment of programs to prepare teachers at a school to provide environmental education professional development to other teachers at the school and programs to promote outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowledge and development of teachers and students;

"(11) summer workshops or institutes, including follow-up training, for elementary and secondary school environmental education teachers;

"(12) encouraging mid-career environmental professionals to pursue careers in environmental education; and"

(2) in subsection (c)(1), by inserting "in consultation with the Secretary," after "Administrator".

(c) AUTHORIZATION.—Section 11(a) of the National Environmental Education Act (20 U.S.C. 5510(a)) is amended by striking "Act" and all that follows through the period at the end and inserting "Act, except for section 11, \$14,000,000 for fiscal year 2009."

(d) NATIONAL CAPACITY ENVIRONMENTAL EDUCATION GRANT PROGRAM; ACCOUNTABILITY.—The National Environmental Education Act (20 U.S.C. 5501 et seq.) is amended—

(1) by redesignating section 11 as section 13; and

(2) by inserting after section 10 the following:

#### "SEC. 11. NATIONAL CAPACITY ENVIRONMENTAL EDUCATION GRANT PROGRAM.

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to non-

profit organizations, State educational agencies, local educational agencies, or institutions of higher education that have demonstrated expertise and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced. Notwithstanding any other provision of this section, a State educational agency, a local educational agency, an institution of higher education, or a not-for-profit organization may use funds provided under this section to coordinate with any program or unit operated by a Federal Natural Resource Management Agency to carry out environmental education programs based on the full range of the resources and mission of the Agency.

"(2) DURATION.—The Secretary shall award each grant under this section for a period of not less than 1 year and not more than 3 years.

"(b) USE OF FUNDS.—Grant funds made available under this section shall be used for 1 or more of the following:

"(1) Developing and implementing challenging State academic content standards, student academic achievement standards, and State curriculum frameworks in environmental education, including the need to balance conservation of the environment with the development of the Nation's energy resources.

"(2) Replicating or disseminating information about proven and tested model environmental education programs that—

"(A) use the environment as an integrating theme or content throughout the curriculum;

"(B) provide integrated, interdisciplinary instruction about natural, social, and economic systems along with field experience that provides students with opportunities to directly experience nature in ways designed to improve overall academic performance, self-esteem, personal responsibility, community involvement, personal health (including addressing child obesity issues), or their understanding of nature;

"(C) provide integrated instruction on waste reduction, reuse, recycling, and composting programs and, when possible, promote such activities within the school; or

"(D) address issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations with respect to minority and low-income communities, with particular attention to the development of environmental justice curriculum at the middle and high school level.

"(3) Developing and implementing new policy approaches to advancing environmental education at the State and national level.

"(4) Conducting studies of national significance that—

"(A) evaluate the effectiveness of teaching environmental education as a separate subject, and as an integrating concept or theme;

"(B) evaluate the effectiveness of using environmental education in helping students improve their assessment scores in mathematics, reading or language arts, science, and the other core academic subjects; or

"(C) evaluate ways to coordinate activities under this Act with existing Federal science teacher in-service training or professional development programs.

"(5) Executing projects that advance widespread State and local educational agency adoption and use of environmental education content standards, including adoption and use of such standards in textbook selection criteria.

"(6) Developing a State environmental literacy plan that includes the following:

"(A) A description of how the State educational agency will measure the environmental literacy of students, including—

"(i) relevant State academic content standards and content areas regarding environmental education, and courses or subjects where environmental education instruction will take place; and

“(ii) a description of the relationship of the plan to the secondary school graduation requirements of the State.

“(B) A description of programs for professional development for teachers to improve the teachers’—

“(i) environmental content knowledge;

“(ii) skill in teaching about environmental issues; and

“(iii) field-based pedagogical skills.

“(C) A description of how the State educational agency will implement the plan, including securing funding and other necessary support.

“(7) Developing evidence-based approaches to build capacity to increase the number of elementary and secondary environmental educators.

“(c) APPLICATIONS.—Each nonprofit organization, State educational agency, local educational agency, or institution of higher education desiring a grant under this section shall submit to the Secretary an application that contains a plan to initiate, expand, or improve environmental education programs in order to make progress toward meeting State standards for environmental learning (to the extent such standards exist) and environmental literacy and contains an evaluation and accountability plan for activities assisted under this section that includes rigorous objectives that measure the impact of activities funded under this section.

“(d) REQUIREMENTS.—

“(1) ANNUAL REPORT.—In order to continue receiving grant funds under this section after the first year of a multi-year grant under this section, the grantee shall submit to the Secretary an annual report that—

“(A) describes the activities assisted under this section that were conducted during the preceding year;

“(B) describes the results of the grantee’s evaluation and accountability plan; and

“(C) demonstrates that the grantee has undertaken activities to accomplish at least one of the following:

“(i) Responsibly preparing children to understand and address major challenges facing the United States, such as increasing the supply of clean energy, climate change, environmental health risks, and environmental disaster and emergency preparedness.

“(ii) Supporting systemic education reform by strengthening environmental education as an integral part of the elementary school and secondary school curriculum.

“(iii) Helping ensure that all students meet challenging State academic content and student academic achievement standards in environmental learning.

“(iv) Supporting efforts to enable students to engage in environmental education.

“(v) Leveraging and expanding private and public support for environmental education partnerships at national, State, and local levels.

“(vi) Awarding grants to initiate, expand, or improve environmental education programs for elementary and secondary students.

“(vii) Restoring and increasing field experiences as part of the regular school curriculum and schedule in order to improve students’ overall academic performance, self-esteem, personal responsibility, community involvement, personal health (including addressing child obesity issues), and understanding of nature.

“(2) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the grant funds made available to a nonprofit organization, State educational agency, local educational agency, or institution of higher education under this section for any fiscal year may be used for administrative expenses.

“(3) STATE ENVIRONMENTAL LITERACY PLANS.—

“(A) IN GENERAL.—A State educational agency receiving a grant under this section shall—

“(i) have a State environmental literacy plan that is consistent with the requirements of subsection (b)(6) and that is peer reviewed within the State by a panel composed of experts in environmental education and representatives from other related State agencies; or

“(ii) develop a State environmental literacy plan described in subsection (b)(6) with funds made available under this section prior to using the grant funds for any other purpose.

“(B) PEER REVIEW.—If an environmental literacy plan described in subparagraph (A)(i) has not been peer reviewed within the State, the State educational agency, notwithstanding subsection (b), shall use funds made available under this section to complete such review, as described in such subparagraph, prior to using the grant funds for any other purpose.

“(C) OTHER GRANTEEES.—An applicant for a grant under this section that is not a State educational agency and applies for funding to be used for the purpose described in subsection (b)(6) shall demonstrate in the application that the applicant has consulted with the State educational agency about such use of funds.

“(e) ADMINISTRATIVE PROVISIONS.—

“(1) FEDERAL SHARE.—The Federal share under this section shall not exceed—

“(A) 90 percent of the total cost of a program assisted under this section for the first year for which the program receives assistance under this section;

“(B) 75 percent of such cost for the second; and

“(C) 50 percent of such cost for each subsequent year.

“(2) REPORT TO CONGRESS.—Not later than one year after enactment of this bill, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

“(A) describes the programs assisted under this section;

“(B) documents the success of such programs in improving national and State environmental education capacity; and

“(C) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this section.

“(3) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this section shall remain available until expended.

“(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, any other Federal, State, or local funds available for environmental education activities.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2009.

#### “SEC. 12. ACCOUNTABILITY.

“(a) QUALITY INDICATORS.—The Administrator, the Secretary, and the Foundation each shall establish indicators of program quality for the programs and activities funded under this Act (other than fellowship awards funded under section 7) that such official or entity administers.

“(b) MINIMUM INDICATORS.—Such indicators of program quality, at a minimum, shall—

“(1) enhance understanding of the natural and built environment;

“(2) foster a better appreciation of the interdisciplinary nature of environmental issues and conditions;

“(3) increase achievement in related areas of national interest, such as mathematics and science;

“(4) increase understanding of the benefits of exposure to the natural environment;

“(5) improve understanding of how human and natural systems interact together;

“(6) broaden awareness of environmental issues; and

“(7) include such other indicators as the Administrator, Secretary, or Foundation may develop.

“(c) REPORT.—Each recipient receiving funds under this Act, other than fellowship recipients under section 7, shall report annually to the Administrator, the Secretary, or the Foundation regarding progress made in meeting the minimum indicators of program quality established under subsection (b). The Administrator, the Secretary, and the Foundation shall disseminate such information widely to the public through electronic and other means.”.

(e) RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.—The National Environmental Education Act (20 U.S.C. 5501 et seq.), as amended by subsection (d), is further amended by adding at the end the following:

#### “SEC. 14. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

“(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

“(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—No funds provided to the Administrator or Secretary under this Act may be used by the Agency or Department of Education to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

“(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—No State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

“(d) RESTRICTIONS ON PARTISAN POLITICAL INFLUENCE.—

“(1) IN GENERAL.—In carrying out the activities described in this Act, the Administrator and Secretary shall ensure that such activities—

“(A) conform to high standards of quality, integrity, and accuracy;

“(B) are objective, neutral, and nonideological and are free of partisan political influence; and

“(C) do not advocate a particular political viewpoint.

“(2) ACTIONS TO IMPLEMENT AND ENFORCE.—The Administrator and Secretary shall take such actions as are necessary to ensure that the provisions of this section are vigorously implemented and enforced.”.

(f) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the National Environmental Education Act (20 U.S.C. 5501 note) is amended by striking the item relating to section 11 and inserting the following:

“Sec. 11. National capacity environmental education grant program.

“Sec. 12. Accountability.

“Sec. 13. Authorization.

“Sec. 14. Restrictions on Federal Government and use of Federal funds.”.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-854. Each amendment shall be considered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SARBANES

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-854.

Mr. SARBANES. Madam Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. Is the gentleman from Maryland the designee of the gentleman from California (Mr. MILLER)?

Mr. SARBANES. Yes, Madam Chairman.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SARBANES:

Page 10, strike lines 1 through 8 and insert the following:

“(D) address issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations, including with respect to low-income communities.

Page 10, strike lines 9 through 11 and insert the following:

“(3) Developing and implementing new policy approaches to environmental education, which shall include a discussion of—

“(A) the benefits and costs to the environment and to consumers regarding increasing the supply of energy produced in the United States from—

“(i) oil and gas drilling;

“(ii) nuclear power;

“(iii) new coal technologies; and

“(iv) clean renewable and alternative sources of energy, including wind, solar, geothermal, hydropower, and advanced biofuels; and

“(B) the best strategies for reducing energy consumption through an enhanced emphasis on efficiency and conservation.

The Acting CHAIRMAN. Pursuant to House Resolution 1441, the gentleman from Maryland (Mr. SARBANES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. SARBANES. Madam Chairman, this amendment would seek to strengthen and improve the legislation in a number of ways.

First, it clarifies that funds that are issued under the National Capacity Environmental Education Grant Program, which is the new program that's being created here under the U.S. Department of Education, that those funds can be used to address environmental justice issues that may arise in low-income communities.

We heard earlier from Representative CLARKE of New York, who has made this issue a passion of hers and introduced the underlying amendment in the mark-up at the committee level. This is an important additional element for the bill.

Secondly, the amendment clarifies that funds used to develop and implement new policy approaches to environmental education will include a discussion of the benefits and the costs to the environment and to consumers with respect to increasing the supply of energy produced in the United States from a variety of sources.

This is, again, an important amendment. It signals, I think, that good quality environmental education—almost by definition—is going to focus the next generation on dealing with

these very challenging issues and what the proper balance needs to be between developing our energy sources and conservation and other environmental issues, which is, frankly, at the heart of much of the debate that we're having these days. So this is also, I think, an important addition to the bill.

And thirdly, the amendment that we are proposing here provides that the policy approaches developed under this bill must also include a discussion of the best strategies for reducing energy consumption. Again, any meaningful environmental education should include looking at all of these various policy approaches.

With that, Madam Chairman, I reserve the balance of my time.

Mr. MCKEON. Madam Chairman, I claim the time in opposition to the amendment, although I will not oppose it.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Madam Chairman, I yield myself such time as I may consume.

I want to thank Chairman MILLER for offering this amendment, and Mr. SARBANES for filling in.

This amendment clarifies that the Federal Government will not impose an environmental justice curriculum on our Nation's schools. This issue was debated during the committee consideration of the bill and it was an issue on which there was disagreement between the majority and the minority. I believe that the bill approved by our committee went too far in this regard because it could have required State and local officials to develop specific environmental justice curricula.

We have long believed that specific curricula—which is taught in individual classrooms—is best determined at the local level. And while this bill contains a broad prohibition on Federal curriculum development, I believe it was necessary to clarify the environmental justice language as well so that there would be no confusion as to what the Federal Government is or is not demanding of our schools. Chairman MILLER worked closely with me to refine this language, and I want to thank him for his willingness to do so.

This amendment also contains some interesting language that was added earlier this week, presumably in response to efforts on our side of the aisle to ensure this bill does not ignore critical energy issues.

Republicans proposed amendments to advance the understanding of the environmental and economic benefits of clean coal and oil shale production, energy production in the ANWR, and energy production on the Outer Continental Shelf. We proposed amendments to advance the understanding of the environmental and economic benefits of nuclear power, and of American-made energy, and of the all-of-the-above energy strategy, which would in-

crease production, promote conservation, and expand innovation. We think that each of these issues deserves a full and open debate because an all-of-the-above energy strategy does not ignore any aspect of energy reform.

□ 1600

Although our amendments were not made in order, I was pleased to see that the Miller amendment now includes language to ensure that environmental education programs include a discussion of the costs and benefits of oil and gas drilling, of nuclear power, of new coal technologies, and of renewable energy sources. While this language is not as strong and comprehensive as what the Republicans had offered, I appreciate its inclusion nonetheless.

The truth is we need to be talking about energy more, not less. We passed an energy bill earlier this week that won't increase energy production. We passed an energy bill that puts American resources under lock and key instead of opening them up to environmentally safe production that will create jobs and that will bring down energy prices. This sham of a bill that we passed raises taxes and stands to drive consumer prices up, not down.

So I'm glad we're going to be talking to our children about the benefits of American energy production. It's a conversation we should be having here in Congress as well.

Once again, I want to thank Chairman MILLER for working with me to clarify the environmental justice aspect of this legislation, and I look forward to supporting this amendment.

I reserve the balance of my time.

Mr. SARBANES. Does the gentleman have any additional speakers? I'm prepared to yield back, and I would reserve the right to close.

Mr. MCKEON. I yield back the balance of my time.

Mr. SARBANES. Madam Chairman, again, I would urge the passage of this amendment.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. SARBANES).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. SARBANES. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

The Acting CHAIRMAN. The Chair understands that amendments No. 2 and 3 will not be offered.

AMENDMENT NO. 4 OFFERED BY MR. WELCH OF VERMONT

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-854.

Mr. WELCH of Vermont. Madam Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. WELCH of Vermont:

Page 8, line 7, insert "municipalities," after "agencies,".

Page 8, line 15, insert "a municipality," after "education,".

Page 12, line 8, insert "municipality," after "Each".

The Acting CHAIRMAN. Pursuant to House Resolution 1441, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH of Vermont. My amendment is quite simple.

It would add municipalities to the list of entities eligible for the National Capacity Environmental Education Grant Program. Keep in mind, anyone who is going to be successful has to go through a competitive grant process.

The reason for that is the municipalities are the ones that at the grassroots level oftentimes provide these services. Obviously, we all live in towns or in cities, and this environmental education initiative outlined in the legislation is being offered, in many cases, by small towns in rural America and in large towns elsewhere. In fact, in smaller towns, it's the local Parks and Recreation Department. That's a subset, obviously, of the municipality and who is the ultimate intended beneficiary of this opportunity. It's the Parks and Rec Department that takes the lead in providing environmental education to our kids. This amendment would allow those agencies to participate.

According to the National Park and Recreation Association, an entity that has endorsed this amendment, municipal park systems are the best and most logical partners for schools and for other educational agencies across the country to develop effective environmental education programs.

In my own State of Vermont, environmental education programs are offered by almost every town during their summer programming. The programs are great for the kids in helping them appreciate the environment and the value of protecting it. The town of Colchester, for instance, boasts four summer environmental education offerings. Killington, Vermont did a survey, and it revealed that the majority of citizens thinks their town should offer through parks and recreation such an education program.

Such programs are committed to providing diverse, accessible and effective environmental education at the grassroots. This amendment will bolster these efforts by assuring properly trained staff and the best materials. Tested instruction strategies are available for and are integrated into environmental programming.

I ask my colleagues to support this amendment and the underlying bill.

I reserve the balance of my time.

Mr. McKEON. Madam Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. McKEON. I yield myself such time as I may consume.

The bill before us is about environmental education. Specifically, it is about teaching elementary and secondary students about the world in which they live, about the natural resources of our great Nation and about the stewardship of our environment and of our resources for the future.

This legislation provides grants to State and local education agencies, to institutions of higher education or to nonprofit organizations. The resources are targeted to ensure they will directly benefit students. This amendment, as I understand it, would make "municipalities eligible for these grants as well." Unfortunately, that term is not defined, leaving open to interpretation just exactly how far we would be expanding this program.

Without a clear and narrow definition, this amendment could open up the funding to any number of entities, including cities, townships, districts or county governments, to name just a few. In other words, this amendment opens the limited resources under the bill to organizations that may or may not provide the direct services to students that we're seeking.

I support local control and local partnerships. That's why I support the Courtney amendment, which allows partnerships with State and local park departments. Through that model, we provide grants directly to educational organizations, which can then partner with the local organizations we're talking about now that can enrich the environmental education experience.

I understand what the gentleman is trying to accomplish with this amendment, and I'd like to work with him to see if we can get there, but at this time, I'm opposed to this amendment because it's not clear enough about prioritizing funds for educational entities that provide direct services to students. I know that the majority is working with us to clarify the definition of "municipality."

As this bill moves forward, I look forward to working with them to ensure we do not dilute the limited resources of this program away from the students they're intended for.

I reserve the balance of my time.

Mr. WELCH of Vermont. I appreciate the concerns expressed by the gentleman from California, but I think I can assure him that the definition won't dilute the program, and there are two reasons.

One, the term "municipality" does have a legal definition. It's a city, basically, or an entity as defined in the code of the applicable State. In Vermont—and I think this is pretty much true around the country—you

have subdivisions. You have the Parks and Rec Department. The point here is that it is the Parks and Rec Department that is oftentimes doing this kind of work.

So what this amendment would do, I think, is it would achieve that goal of local control and delivery at the most elemental and local of levels, which I think is an objective that the gentleman from California and I share.

The other thing that gives me some reassurance—and it may not quite reach the level of assurance that the gentleman from California looks to—is that the grants will be competitive, so there will be a process that applicants have to go through, whether they're a municipality or whether they're any other entity making an application. It will be reviewed by an impartial authority. Let's certainly hope that's the case. Then the merit-based decision will be that this application looks like it's going to help a lot of kids and be effective, and it will be granted on that basis, not on the name of the applicant or on that of the particular entity.

So I really do appreciate the concerns that were offered. I have more comfort with the constraints of the definition of "municipality," apparently, than does my friend from California, but ultimately, the backstop here is that independent review that is going to be the final arbiter of who gets these competitive opportunities.

I reserve the balance of my time.

Mr. McKEON. I appreciate the gentleman. As I said, I appreciate his amendment, and I appreciate his effort in this regard.

This points out, once again, to me that we have a large country with 435 congressional districts. Just within my congressional district, we have cities; we have counties; we have towns; we have towns that really don't have a government responsibility, but they're kind of granted that, and that's just in my district. I haven't had the opportunity to visit your district. I'm sure that in each of the 435 districts we would find different ways that this would be treated, and that is my concern is how we define that.

I think the gentleman's bill is directed towards students to help students get the education of environmental studies that he would like to see and that I support. The concern that I have again is that, if we direct it as your amendment would, it may be directed away from students. I think that this could be worked out. As we know, we are not going to finish this up in this Congress anyway, so it will be something that will carry over next year. Should we all happen by some circumstance to win our elections, we'll be back here in a few months, working on this again, but at this point, I would still have to oppose the amendment, hoping that we could work this out in the future.

I reserve the balance of my time.

The Acting CHAIRMAN. The gentleman from California has the right to close.

Mr. WELCH of Vermont. I yield back the balance of my time.

Mr. McKEON. I think I've said everything I needed to say.

I would yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. COURTNEY

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-854.

Mr. COURTNEY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, line 19, after "section," insert the following: "Such application may describe how the applicant has partnered, or intends to partner, with a State and local park and recreation department."

The Acting CHAIRMAN. Pursuant to House Resolution 1441, the gentleman from Connecticut (Mr. COURTNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. COURTNEY. Madam Chairman, this is the ultimate friendly amendment to this very solid bill, on which I commend the gentleman from Maryland for his leadership. Based on Mr. McKEON's positive comments earlier, I should probably make this very short and sweet.

In a nutshell, what this amendment does is it encourages organizations that apply for this environmental education grant program to describe on their application for Federal grants how they have partnered or how they intend to partner with a State or with a local park and recreation department.

As was mentioned in the earlier colloquy, Park and Recreation Departments all over the country already are very involved in environmental education programs, and that certainly holds true also for State park systems.

In Connecticut, we actually have a program, by coincidence, called the No Child Left Inside Program, which was instituted in 2006 by the Republican Governor of Connecticut, Jodi Rell, and by her outstanding commissioner of the Department of Environmental Protection, which again is following exactly the same mission that Mr. SARBANES' bill is following, to encourage children to get outside, to experience nature, to learn about nature, and to hopefully stimulate an interest in environmental science, which again, as has been said many times here during the earlier debate, is an important way to make sure that we get children engaged and involved in science, technology, engineering, and math, which the education committee has spent many hours wrestling with because we clearly have an educational system

which is not producing enough scientists and engineers to meet the workforce challenges of our country.

The Connecticut program utilizes State park systems which, again, are perfectly established right now to provide trained personnel, transportation equipment and programs funding to again provide a very solid and an enriching experience in nature. They work together with school systems in a variety of programs.

The Appalachian Connection program, which again uses the Appalachian Trail which goes through Connecticut, works collaboratively with school systems to bring children out to the Appalachian Trail. It's just an extraordinary part of Connecticut's environment.

In Bolton, Connecticut, they have the geography in October program. In Preston, Connecticut, there is a recycling program, which again is operated through the No Child Left Inside Program.

There are many examples of where working in collaboration between the State's park system and local school boards has really, again, provided a perfect model and an example of what this legislation seeks to achieve.

The National Recreation and Park Association and local parks departments all over the country have endorsed this amendment. It's a "may" not "shall" amendment, so it is purely voluntary in terms of encouraging local school districts to participate.

□ 1615

In conclusion, I just wanted to comment on some of the prior discussion regarding the energy needs of this country and how come we are taking up a bill like this.

In my State, where we have an active nuclear power plant that provides 40 percent of the power of the State, we build nuclear submarines in my district, if you talk to people in the industry, an industry which in America has not built a nuclear reactor since 1973, in fact the biggest challenge is not financing or national energy policy, because we have over 20 new applications for new nuclear reactors before the NRC today. If you talk to the people in the industry, their biggest challenge is human capital, that the average age of a nuclear engineer in this country is over age 55.

Because of that gap, which has existed because for a million different reasons, if we are really serious about promoting nuclear power as an avenue in the future, and with the cap and trade debate that is looming on the horizon in the future I believe it is going to be part of our energy portfolio, the fact of the matter is we have to get serious about getting kids engaged and involved in science and engineering. And Mr. SARBANES' legislation is all about that. It is exactly focused on the real energy needs that we have in this country, which is to create the scientists and engineers that are going to provide

the solutions in all of the above avenues.

Madam Chairman, with that, I reserve the balance of my time.

Mr. McKEON. Madam Chairman, I claim the time in opposition to the amendment, although I will not oppose it.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. McKEON. Madam Chairman, as I stated earlier, I support the gentleman's amendment and commend him on it.

Madam Chairman, over the last several years, the National Park Service has increasingly relied on partnerships with outside entities to fulfill its mission and foster a shared sense of stewardship for our environment and natural resources. In fact, a number of National Park Service programs operate almost exclusively through partnerships.

One way the National Park Service is supporting environmental education is through professional development opportunities for teachers. These include helping teachers utilize park resources in the classroom or preparing classes for a park visit. Most of these workshops are accredited and can be taken for college credit, and are structured to meet the needs of today's teacher—teaching to academic content standards while making the material engaging and relevant.

Because of the existing commitment on the part of the National Park Service to provide educational enrichment, the bill allows grantees to enter into National Park Service partnerships as a means to increase the knowledge and understanding of environmental education.

The Courtney amendment goes beyond this focus on the National Park Service, by allowing grant applicants to discuss through the grant application process how they have partnered, or intend to partner, with a state and local park and recreation department.

I support this amendment because it maintains the current funding structure—in which we provide grants to educational organizations—while making clear that students can benefit from the creativity, experience, and resources of local programs. These types of partnerships could benefit students by enriching their environmental education experience, and I thank the gentleman for offering this amendment to clarify that these partnerships are permissible, and welcome, under the legislation.

This amendment builds on the existing emphasis we have placed on partnerships with the National Park Service, and I am happy to support it.

Madam Chairman, I yield back the balance of my time.

Mr. COURTNEY. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. COURTNEY).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. SARBANES

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 1 printed in

House Report 110-854 by the gentleman from Maryland (Mr. SARBANES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 383, noes 23, not voting 32, as follows:

[Roll No. 612]

#### AYES—383

Abercrombie	Courtney	Higgins
Ackerman	Crenshaw	Hill
Alexander	Cuellar	Hinchee
Allen	Culberson	Hinojosa
Altmire	Cummings	Hirono
Andrews	Davis (AL)	Hobson
Arcuri	Davis (CA)	Hodes
Baca	Davis (IL)	Holden
Bachmann	Davis (KY)	Holt
Bachus	Davis, David	Honda
Baird	Davis, Lincoln	Hooley
Baldwin	Davis, Tom	Hoyer
Barrett (SC)	DeFazio	Hunter
Barrow	DeGette	Inglis (SC)
Bartlett (MD)	Delahunt	Inslee
Barton (TX)	DeLauro	Israel
Bean	Dent	Jackson (IL)
Becerra	Diaz-Balart, L.	Jefferson
Berkley	Diaz-Balart, M.	Johnson (GA)
Berman	Dicks	Johnson (IL)
Berry	Dingell	Johnson, E. B.
Bilbray	Doggett	Jones (NC)
Bilirakis	Donnelly	Jordan
Bishop (GA)	Doyle	Kagen
Bishop (NY)	Drake	Kanjorski
Blackburn	Edwards (MD)	Kaptur
Blumenauer	Edwards (TX)	Keller
Blunt	Ehlers	Kennedy
Boehner	Ellison	Kildee
Bonner	Ellsworth	Kilpatrick
Bono Mack	Emanuel	Kind
Boozman	Emerson	King (IA)
Bordallo	Engel	Kirk
Boren	English (PA)	Klein (FL)
Boswell	Eshoo	Kline (MN)
Boucher	Etheridge	Knollenberg
Boustany	Everett	Kucinich
Boyd (FL)	Fallin	Kuhl (NY)
Brady (PA)	Farr	LaHood
Braley (IA)	Fattah	Lamborn
Brown (SC)	Ferguson	Langevin
Brown, Corrine	Filner	Larsen (WA)
Brown-Waite,	Flake	Larson (CT)
Ginny	Forbes	Latham
Buchanan	Fortenberry	LaTourette
Butterfield	Fossella	Latta
Buyer	Foster	Lee
Calvert	Frank (MA)	Levin
Camp (MI)	Frank (AZ)	Lewis (CA)
Campbell (CA)	Frelinghuysen	Lewis (GA)
Capito	Galleghy	Linder
Capps	Garrett (NJ)	Lipinski
Capuano	Gerlach	LoBiondo
Cardoza	Giffords	Loebsack
Carnahan	Gilchrest	Lofgren, Zoe
Carney	Gillibrand	Lowe
Carson	Gohmert	Lucas
Carter	Gonzalez	Lungren, Daniel
Castle	Goode	E.
Cazayoux	Goodlatte	Lynch
Chabot	Gordon	Mack
Chandler	Granger	Maloney (NY)
Childers	Graves	Markey
Christensen	Green, Al	Marshall
Clarke	Green, Gene	Matheson
Clay	Gutierrez	Matsui
Cleaver	Hall (NY)	McCarthy (CA)
Clyburn	Hall (TX)	McCarthy (NY)
Coble	Hare	McCaul (TX)
Cohen	Harman	McCollum (MN)
Cole (OK)	Hayes	McCotter
Conyers	Heller	McCrery
Cooper	Hensarling	McDermott
Costa	Herger	McGovern
Costello	Herse	McHenry

McHugh	Rehberg	Souder
McIntyre	Reichert	Space
McKeon	Renzl	Speier
McMorris	Reyes	Spratt
Rodgers	Reynolds	Stark
McNerney	Richardson	Stearns
McNulty	Rodriguez	Stupak
Meek (FL)	Rogers (AL)	Sullivan
Meeks (NY)	Rogers (KY)	Sutton
Melancon	Rogers (MI)	Tanner
Mica	Rohrabacher	Tauscher
Michaud	Ros-Lehtinen	Taylor
Miller (MI)	Roskam	Terry
Miller (NC)	Ross	Thompson (CA)
Miller, George	Rothman	Thompson (MS)
Mitchell	Roybal-Allard	Thornberry
Mollohan	Royce	Tiahrt
Moore (KS)	Ruppersberger	Tiberi
Moore (WI)	Rush	Tierney
Moran (VA)	Ryan (OH)	Towns
Murphy (CT)	Ryan (WI)	Tsongas
Murphy, Patrick	Salazar	Turner
Murphy, Tim	Sali	Udall (NM)
Murtha	Sánchez, Linda	Upton
Musgrave	T.	Van Hollen
Myrick	Sanchez, Loretta	Velázquez
Nadler	Sarbanes	Visclosky
Napolitano	Saxton	Walberg
Neal (MA)	Scalise	Walden (OR)
Neugebauer	Schakowsky	Walsh (NY)
Norton	Schiff	Walz (MN)
Oberstar	Schmidt	Wamp
Obey	Schwartz	Wasserman
Oliver	Scott (GA)	Schultz
Ortiz	Scott (VA)	Waters
Pallone	Sensenbrenner	Watson
Pascarell	Serrano	Watt
Pastor	Sessions	Waxman
Payne	Shadegg	Weiner
Pearce	Shays	Welch (VT)
Perlmutter	Shea-Porter	Weller
Peterson (MN)	Sherman	Westmoreland
Petri	Shinkus	Wexler
Pickering	Shuler	Whitfield (KY)
Platts	Shuster	Wilson (NM)
Pomeroy	Simpson	Wilson (OH)
Porter	Sires	Wilson (SC)
Price (GA)	Skelton	Wittman (VA)
Price (NC)	Slaughter	Wolf
Putnam	Smith (NE)	Woolsey
Radanovich	Smith (NJ)	Yarmuth
Rahall	Smith (TX)	Young (AK)
Ramstad	Smith (WA)	Young (FL)
Rangel	Snyder	
Regula	Solis	

#### NOES—23

Aderholt	Deal (GA)	Manzullo
Akin	Doolittle	Miller (FL)
Eshoo	Duncan	Miller, Gary
Broun (GA)	Foxx	Moran (KS)
Burton (IN)	Gingrey	Paul
Cannon	Hoekstra	Tancredo
Cantor	Johnson, Sam	Weldon (FL)
Conaway	Lewis (KY)	

#### NOT VOTING—32

Biggert	Fortuño	Mahoney (FL)
Bishop (UT)	Grijalva	Marchant
Brady (TX)	Hastings (FL)	Nunes
Burgess	Hastings (WA)	Pence
Castor	Hulshof	Peterson (PA)
Cramer	Issa	Pitts
Crowley	Jackson-Lee	Poe
Cubin	(TX)	Pryce (OH)
Dreier	King (NY)	Sestak
Faleomavaega	Kingston	Udall (CO)
Feeney	Lampson	Wu

#### ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There is 1 minute remaining in the vote.

□ 1647

Messrs. CANTOR, MORAN of Kansas, ADERHOLT, MILLER of Florida, MANZULLO, Mrs. BOYDA of Kansas, Messrs. GINGREY and BURTON of Indiana changed their vote from “aye” to “no.”

Messrs. TIAHRT, CAMPBELL of California, GOHMERT, FLAKE, BONNER, KING of Iowa, WALBERG and ROHRABACHER changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Ms. DEGETTE, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3036) to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes, pursuant to House Resolution 1441, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PRICE of Georgia. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Price of Georgia moves to recommit the bill H.R. 3036 to the Committee on Education and Labor with instructions to report the same back to the House forthwith, with the following amendments:

Page 20, after line 17, insert the following: (f) PRIORITIES FOR AND PROHIBITIONS ON THE USE OF FEDERAL FUNDS.—The National Environmental Education Act (20 U.S.C. 5501 et seq.), as amended by subsections (d) and (e), is further amended by adding at the end the following:

#### “SEC. 15. PRIORITIES FOR AND PROHIBITIONS ON THE USE OF FEDERAL FUNDS.

“(a) PRIORITY FOR FEDERAL FUNDS.—In distributing funds under this Act, priority shall be given to applications from local educational agencies before funds are awarded to other eligible applicants.

“(b) PROHIBITION ON LOBBYING.—No funds made available under this Act may be made available to an organization, defined to include any affiliated organization, that lobbies or retains a lobbyist for the purpose of influencing a Federal, State, or local governmental entity or officer, including lobbyists



employed or retained to advocate against the production and exploration of American energy.

“(C) BALANCED PRESENTATION OF INFORMATION.—No funds made available under this Act may be made available to an organization, defined to include any affiliated organization, that, in its information and publications (including paper, electronic, web-based and any other format), fails to provide a balanced presentation of environmental issues by providing readers with the full spectrum of scholarly viewpoints on the subjects examined.”.

Page 20, line 18, strike “(f)” and insert “(g)”.

Page 20, in the matter following line 21, after the table of contents item relating to section 14, insert the following:

“Sec. 15. Priorities for and prohibitions on the use of Federal funds.”.

Mr. SARBANES (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. PRICE of Georgia. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Speaker, environmental education increases awareness and knowledge about environmental issues while providing needed skills to make informed decisions. When utilized appropriately, it enhances critical thinking and problem solving but does so without advocating a particular viewpoint or a course of action.

But the bill before the House today is establishing a framework that could become ripe for abuse, with outside factions directing learning in the classroom. It is why Republicans are offering this motion to recommit in order to ensure there is no undue political influence in the classroom while protecting the interest of taxpayers.

This motion to recommit is a commonsense package of safeguards aimed at protecting taxpayers' wallets, limiting special interest influence, and taking partisanship out of the classroom. Currently, none of those safeguards are present in this bill.

The first safeguard ensures that priority funding goes to local school districts first. Since 1992, more than 50 percent of environmental education grants have gone to nonprofit organizations. American taxpayers are paying for these programs, so it makes sense that their dollars go to local schools and children before third parties.

The second safeguard prohibits funding to any organization that lobbies or retains a lobbyist, especially those special interests that routinely advocate against more American-made energy for Americans. It is no coincidence that the same groups and affiliates which are suing to block oil and gas leases are also lobbying and receiving funds for environmental education.

And the final safeguard makes certain that information in the classroom

is fair and balanced. Its aim is to ensure that classrooms remain free of partisan or political influence and that science, not a political or ideological agenda, is what students are taking away from their learning experiences.

In committee I raised the point that certain organizations, textbooks, and curricula have misinformed students by advocating erroneous specific measures to address environmental problems. Even worse, environmental information has been presented with unbalanced or scientifically inaccurate data.

On this side of the aisle, Republicans do not want such uneven portrayal. But there is a greater reason for offering this package of reforms: Republicans do not want the very same radical special interests that are directing energy policy in the United States to have the same influence in our classrooms.

The high price of gasoline is squeezing family budgets. And this Congress has yet to cast a vote during this energy crisis that truly expands exploration and the production of American-made energy.

Republicans have a plan to increase domestic production, provide tax credits to promote clean and reliable sources of energy, and encourage conservation to ease demand for gasoline. But roadblock after roadblock has been erected.

Mr. Speaker, it has been nearly 50 days since the Speaker and this majority, the majority party, turned off the microphones, turned off the cameras, and turned down the lights and silenced the will of the American people on the House floor. Nearly 50 days since the good folks across the aisle made it abundantly clear that election year special interests are more important than the public interests.

Republicans are going to continue to champion for an all-of-the-above energy solution. But this is a moment in which the House can make certain that those who are writing our Nation's anti-energy policies are not directing learning in the classroom as well.

Republicans want to hold these programs to the highest standards of quality, accuracy and neutrality. This will only happen if funding is going to schools first, special interests are not shaping the education agenda, and there is a balanced presentation of information.

In conclusion, this motion to recommit is a trio of commonsense ideas that keeps children at the forefront while maintaining high standards for science in the classroom.

I urge my colleagues to adopt this forthwith motion to recommit.

I yield back the balance of my time.

Mr. SARBANES. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 5 minutes.

Mr. SARBANES. Mr. Speaker, there are two ways to effectively kill a bill. One is to make a motion “promptly,”

which would send it back to committee. That is not what has happened here. This is a “forthwith” motion which brings it right back with the instructions that have been put on it. But the other way to kill a bill is to put instructions on it that essentially gut it and completely undermine what it is supposed to do, and that is the nature of this particular motion to recommit.

I object to it on a number of grounds. First of all, the provision relating to priority with respect to LEAs, there are a number of eligible entities under this bill that can participate in the competitive grant process, local education agencies, State educational agencies, higher education institutions, nonprofits and so forth. They all should be part of the same competitive bidding process to get these dollars to try to fund environmental education.

Secondly, I object because this second provision that has to do with lobbying in fact will end up having the effect that some of the very organizations that are in the best position to provide good strong environmental education to the next generation will be prohibited from delivering. And as far as that goes, it means that A and B are internally inconsistent because A would give a priority to the very kind of organization that B seeks to prevent from getting these funds. So it doesn't make sense on its face.

So I would urge very strongly that my colleagues oppose the motion to recommit forthwith.

This is a good bill. It is an important bill. You don't have to take my word for it. There are 750 organizations across the country that are part of the No Child Left Inside Coalition. This is made up of public health advocates, sportsmen, environmentalists, educators, all recognizing the need to provide this critical education to the next generation.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. SARBANES. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I just want my colleagues to fully understand.

This is a bill that is designed for environmental education. I understand the gentleman doesn't like the bill. He voted against it in committee, one of the few Republicans that did. He doesn't like it. They are disappointed because we passed comprehensive energy reform and they have lost their energy debate.

But most importantly this: under this amendment, a school could not get money for environmental education. The Governors Association could not get money for environmental education, universities could not get money for environmental education, so who the hell would get the money for environmental education because

under this amendment the very organizations that are supposed to be developing the program are prohibited because they hire lobbyists. Yes, the Governors have a lobbyist; universities have a lobbyist; school districts have lobbyists for the State or what have you. They are immediately excluded.

So here we are again. The gentleman from Maryland has presented a comprehensive bill, a well-thought-out bill that has incredible support across the board by educational organizations and nonprofits and others who want to engage and step up the environmental education in this country. This amendment would absolutely prohibit these organizations from participating.

I thank the gentleman for yielding.

□ 1700

Mr. SARBANES. Just to reiterate, Mr. Speaker, I oppose this motion vehemently. This bill will provide so many benefits to the next generation, public health benefits by getting our kids outside and into nature and active, economic development benefits because we're going to be educating the next generation of scientists and entrepreneurs that are going to make the difference when it comes to pursuing alternative sources of fuel and renewable sources of fuel. It will engage kids in learning, activate all their senses.

And finally, finally, it's going to raise awareness about the environment. The only way we're going to save our environment, save treasures like the Chesapeake Bay in Maryland is if millions of people develop good habits when it comes to the environment. Our children are the ones that are going to do it, but they can only do it if we provide them with this educational support.

I urge my colleagues to vote against the motion to recommit.

I yield back.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. PRICE of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 3036, if ordered; and motion to suspend the rules on H.R. 6460.

The vote was taken by electronic device, and there were—ayes 172, noes 230, not voting 31, as follows:

[Roll No. 613]

AYES—172

Aderholt	Bachmann	Bartlett (MD)
Akin	Bachus	Barton (TX)
Alexander	Barrett (SC)	Bilbray

Bilirakis	Goode	Petri
Blackburn	Goodlatte	Pickering
Blunt	Granger	Platts
Boehner	Graves	Porter
Bonner	Hall (TX)	Price (GA)
Bono Mack	Hayes	Putnam
Boozman	Heller	Radanovich
Boustany	Hensarling	Regula
Broun (GA)	Herger	Rehberg
Brown (SC)	Hobson	Renzi
Brown-Waite,	Hoekstra	Reynolds
Ginny	Hunter	Rogers (AL)
Buchanan	Inglis (SC)	Rogers (KY)
Burton (IN)	Johnson, Sam	Rogers (MI)
Buyer	Jones (NC)	Rohrabacher
Calvert	Jordan	Ros-Lehtinen
Camp (MI)	Keller	Roskam
Campbell (CA)	King (IA)	Royce
Cannon	Kirk	Ryan (WI)
Cantor	Kline (MN)	Sali
Capito	Knollenberg	Saxton
Carter	Kuhl (NY)	Scalise
Chabot	LaHood	Schmidt
Coble	Lamborn	Sensenbrenner
Cole (OK)	Latham	Sessions
Conaway	LaTourette	Shade
Crenshaw	Latta	Shimkus
Culberson	Lewis (CA)	Shuster
Davis (KY)	Lewis (KY)	Simpson
Davis, David	Linder	Smith (NE)
Davis, Tom	Lucas	Smith (TX)
Deal (GA)	Lungren, Daniel	Souder
Dent	E.	Stearns
Diaz-Balart, L.	Mack	Sullivan
Diaz-Balart, M.	Manzullo	Tancredo
Doolittle	McCarthy (CA)	Terry
Drake	McCaul (TX)	Thornberry
Duncan	McCotter	Tiahrt
Ehlers	McCrery	Tiberi
Emerson	McHenry	Turner
English (PA)	McHugh	Upton
Everett	McKeon	Walberg
Fallin	McMorris	Walden (OR)
Feeney	Rodgers	Wamp
Ferguson	Mica	Weldon (FL)
Forbes	Miller (FL)	Weller
Fortenberry	Miller (MI)	Westmoreland
Fossella	Miller, Gary	Whitfield (KY)
Fox	Moran (KS)	Wilson (NM)
Franks (AZ)	Murphy, Tim	Wilson (SC)
Frelinghuysen	Musgrave	Wittman (VA)
Gallely	Myrick	Wolf
Garrett (NJ)	Neugebauer	Young (AK)
Gerlach	Paul	Young (FL)
Gingrey	Pearce	
Gohmert	Peterson (PA)	

#### NOES—230

Abercrombie	Clyburn	Gutierrez
Ackerman	Cohen	Hall (NY)
Allen	Conyers	Hare
Altmire	Cooper	Harman
Andrews	Costa	Herstatt Sandlin
Arcuri	Costello	Higgins
Baca	Courtney	Hill
Baird	Cuellar	Hinchey
Baldwin	Cummings	Hirono
Barrow	Davis (AL)	Hodes
Bean	Davis (CA)	Holden
Becerra	Davis (IL)	Holt
Berkley	Davis, Lincoln	Honda
Berman	DeFazio	Hooey
Berry	DeGette	Hoyer
Bishop (GA)	Delahunt	Inslee
Bishop (NY)	DeLauro	Israel
Blumenauer	Dicks	Jackson (IL)
Boren	Doggett	Jefferson
Boswell	Donnelly	Johnson (GA)
Boucher	Doyle	Johnson (IL)
Boyd (FL)	Edwards (MD)	Johnson, E. B.
Boyda (KS)	Edwards (TX)	Kagen
Brady (PA)	Ellison	Kanjorski
Braley (IA)	Ellsworth	Kaptur
Brown, Corrine	Emanuel	Kennedy
Butterfield	Engel	Kildee
Capps	Eshoo	Kilpatrick
Capuano	Etheridge	Kind
Cardoza	Farr	Klein (FL)
Carnahan	Fattah	Kucinich
Carney	Filner	Langevin
Carson	Foster	Larsen (WA)
Castle	Frank (MA)	Larson (CT)
Castor	Giffords	Lee
Cazayoux	Gilchrest	Levin
Chandler	Gillibrand	Lewis (GA)
Childers	Gonzalez	Lipinski
Clarke	Gordon	LoBiondo
Clay	Green, Al	Loebach
Cleaver	Green, Gene	Lofgren, Zoe

Lowey	Pastor	Solis
Lynch	Payne	Space
Mahoney (FL)	Perlmutter	Speier
Maloney (NY)	Peterson (MN)	Spratt
Marshall	Pomeroy	Stark
Matheson	Price (NC)	Stupak
Matsui	Rahall	Sutton
McCarthy (NY)	Ramstad	Tanner
McCollum (MN)	Rangel	Tauscher
McDermott	Reichert	Taylor
McGovern	Reyes	Thompson (CA)
McIntyre	Richardson	Thompson (MS)
McNerney	Rodriguez	Tierney
McNulty	Ross	Towns
Meek (FL)	Rothman	Tsongas
Meeks (NY)	Roybal-Allard	Udall (CO)
Melancon	Ruppersberger	Udall (NM)
Michaud	Rush	Van Hollen
Miller (NC)	Salazar	Velázquez
Miller, George	Sánchez, Linda	Visclosky
Mitchell	T.	Walsh (NY)
Mollohan	Sanchez, Loretta	Walz (MN)
Moore (KS)	Sarbanes	Wasserman
Moore (WI)	Schakowsky	Schultz
Moran (VA)	Schiff	Waters
Murphy (CT)	Schwartz	Watson
Murphy, Patrick	Scott (GA)	Watt
Murtha	Scott (VA)	Waxman
Nadler	Serrano	Weiner
Napolitano	Shea-Porter	Welch (VT)
Neal (MA)	Sherman	Wexler
Oberstar	Shuler	Wilson (OH)
Obey	Sires	Woolsey
Olver	Skelton	Wu
Ortiz	Smith (NJ)	Yarmuth
Pallone	Smith (WA)	
Pascarella	Snyder	

#### NOT VOTING—31

Biggart	Hastings (FL)	Markey
Bishop (UT)	Hastings (WA)	Nunes
Brady (TX)	Hinojosa	Pence
Burgess	Hulshof	Pitts
Cramer	Issa	Poe
Crowley	Jackson-Lee	Pryce (OH)
Cubin	(TX)	Ryan (OH)
Dingell	King (NY)	Sestak
Dreier	Kingston	Shays
Flake	Lampson	Slaughter
Grijalva	Marchant	

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining on the vote.

□ 1717

Mr. HALL of Texas changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SHAYS. Mr. Speaker, on September 18, 2008, I missed one recorded vote.

I take my voting responsibility very seriously. Had I been present, I would have voted “no” on recorded vote No. 613.

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 613, had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SARBANES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 293, nays 109, not voting 31, as follows:

[Roll No. 614]

## YEAS—293

Abercrombie Giffords Obey  
Ackerman Gilchrest Oliver  
Allen Gillibrand Ortiz  
Altmire Gonzalez Pallone  
Andrews Gordon Pascarell  
Arcuri Graves Pastor  
Baca Green, Al Payne  
Bachus Green, Gene Pearce  
Baird Gutierrez Perlmutter  
Baldwin Hall (NY) Peterson (MN)  
Barrow Hare Petri  
Bean Harman Platts  
Becerra Hayes Pomeroy  
Berkley Herseth Sandlin Porter  
Berman Higgins Price (NC)  
Berry Hill Putnam  
Bilbray Hinchey Rahall  
Bilirakis Hinojosa Ramstad  
Bishop (GA) Hirono Rangel  
Bishop (NY) Hobson Regula  
Blumenauer Hodes Reichert  
Bono Mack Holden Renzi  
Boren Holt Reyes  
Boswell Honda Reynolds  
Boucher Hooley Rodriguez  
Boyd (FL) Hoyer Rogers (AL)  
Boyda (KS) Inslee Rogers (KY)  
Brady (PA) Israel Ros-Lehtinen  
Braley (IA) Jackson (IL) Roskam  
Brown, Corrine Jefferson Ross  
Brown-Waite, Johnson (GA) Rothman  
Ginny Johnson (IL) Roybal-Allard  
Buchanan Johnson, E. B. Ruppersberger  
Butterfield Kagen Rush  
Buyer Kanjorski Ryan (OH)  
Capito Kaptur Salazar  
Capps Keller Sanchez, Linda  
Capuano Kennedy T.  
Cardoza Kildee Sanchez, Loretta  
Carnahan Kilpatrick Sarbanes  
Carney Kind Schakowsky  
Carson Kirk Schiff  
Castle Klein (FL) Schmidt  
Castor Knollenberg Schwartz  
Cazayoux Kucinich Scott (GA)  
Chandler Kuhl (NY) Scott (VA)  
Childers LaHood Serrano  
Clarke Langevin Shays  
Clay Larsen (WA) Shea-Porter  
Cleaver Larson (CT) Sherman  
Clyburn Latham Shimkus  
Cohen LaTourette Shuler  
Conyers Lee Sires  
Cooper Levin Skelton  
Costa Lewis (GA) Slaughter  
Costello Lipinski Smith (NJ)  
Courtney LoBiondo Smith (WA)  
Crenshaw Loeb sack Snyder  
Cuellar Lofgren, Zoe Solis  
Cummings Lowey Souder  
Davis (AL) Lynch Space  
Davis (CA) Mahoney (FL) Speier  
Davis (IL) Mahoney (NY) Spratt  
Davis, Lincoln Markey Stark  
Davis, Tom Marshall Stupak  
DeFazio Matheson Sutton  
DeGette Matsui Tanner  
Delahunt McCarthy (NY) Tauscher  
DeLauro McCaul (TX) Taylor  
Dent McCollum (MN) Terry  
Diaz-Balart, L. McDermott Thompson (CA)  
Diaz-Balart, M. McGovern Thompson (MS)  
Dicks McHugh Tiberi  
Dingell McIntyre Tierney  
Doggett McKeon Towns  
Donnelly McNerney Tsongas  
Doyle McNulty Turner  
Edwards (MD) Meek (FL) Udall (CO)  
Edwards (TX) Meeks (NY) Udall (NM)  
Ehlers Melancon Upton  
Ellison Michaud Van Hollen  
Emanuel Miller (MI) Velázquez  
Engel Miller (NC) Visclosky  
English (PA) Miller, George Walsh (NY)  
Eshoo Mitchell Walz (MN)  
Etheridge Mollohan Wamp  
Fattah Moore (KS) Wasserman  
Ferguson Moore (WI) Schultz  
Filner Moran (VA) Waters  
Fortenberry Murphy (CT) Watson  
Fossella Murtha Watt  
Foster Nadler Waxman  
Frank (MA) Napolitano Weiner  
Frelinghuysen Neal (MA) Welch (VT)  
Gerlach Oberstar Weller  
Wexler

Whitfield (KY)  
Wilson (OH)  
Wittman (VA)

Wolf  
Woolsey  
Wu

Yarmuth  
Young (FL)

## NAYS—109

Aderholt Forbes  
Akin Foss  
Alexander Franks (AZ)  
Bachmann Gallegly  
Barrett (SC) Garrett (NJ)  
Bartlett (MD) Gingrey  
Barton (TX) Gohmert  
Blackburn Goode  
Blunt Goodlatte  
Boehner Granger  
Bonner Hall (TX)  
Boozman Heller  
Boustany Hensarling  
Broun (GA) Herger  
Brown (SC) Hoekstra  
Burton (IN) Inglis (SC)  
Calvert Johnson, Sam  
Camp (MI) Jones (NC)  
Campbell (CA) Jordan  
Cannon King (IA)  
Cantor Kline (MN)  
Carter Lamborn  
Chabot Latta  
Coble Lewis (CA)  
Cole (OK) Lewis (KY)  
Conaway Linder  
Culberson Lucas  
Davis (KY) Lungren, Daniel  
Davis, David E.  
Deal (GA) Mack  
Doolittle Manullo  
Drake McCarthy (CA)  
Duncan McCotter  
Ellsworth McHenry  
Emerson Mica  
Fallin Miller (FL)  
Feeney Miller, Gary

## NOT VOTING—31

Biggart Hastings (FL)  
Bishop (UT) Hastings (WA)  
Brady (TX) Hulshof  
Burgess Hunter  
Cramer Issa  
Crowley Jackson-Lee  
Cubin (TX)  
Dreier King (NY)  
Everett Kingston  
Flake Lampson  
Grijalva Marchant

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining in this vote.

□ 1725

Mr. BROWN of South Carolina changed his vote from “yea” to “nay.” So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to reauthorize and enhance the National Environmental Education Act, and for other purposes.”.

A motion to reconsider was laid on the table.

### GREAT LAKES LEGACY REAUTHORIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 6460, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and pass the bill, H.R. 6460, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

## RECORDED VOTE

Mr. UPTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 371, noes 20, not voting 42, as follows:

[Roll No. 615]

## AYES—371

Abercrombie Davis (CA) Hoyer  
Ackerman Davis (IL) Inglis (SC)  
Aderholt Davis (KY) Inslee  
Akin Davis, David Israel  
Alexander Davis, Lincoln Jackson (IL)  
Allen Davis, Tom Jefferson  
Altmire DeFazio Johnson (GA)  
Andrews DeGette Johnson (IL)  
Arcuri Delahunt Johnson, E. B.  
Baca DeLauro Jones (NC)  
Bachmann Dent Jordan  
Bachus Diaz-Balart, L. Kagen  
Baird Diaz-Balart, M. Kanjorski  
Baldwin Dicks Kaptur  
Barrow Dingell Keller  
Bartlett (MD) Doggett Kennedy  
Barton (TX) Donnelly Kildee  
Bean Doolittle Kilpatrick  
Becerra Doyle Kind  
Berkley Drake King (IA)  
Berman Duncan Kirk  
Berry Edwards (MD) Klein (FL)  
Bilbray Edwards (TX) Kline (MN)  
Bilirakis Ehlers Knollenberg  
Bishop (NY) Ellison Kucinich  
Blackburn Ellsworth Kuhl (NY)  
Blumenauer Emanuel LaHood  
Blunt Emerson Langevin  
Boehner Engel Larsen (WA)  
Bonner English (PA) Larson (CT)  
Bono Mack Eshoo Latham  
Boozman Etheridge LaTourette  
Boren Fallon Latta  
Boswell Farr Lee  
Boucher Fattah Levin  
Boustany Feeney Lewis (CA)  
Boyd (FL) Ferguson Lewis (GA)  
Boyda (KS) Filner Lewis (KY)  
Brady (PA) Forbes Linder  
Braley (IA) Fortenberry Lipinski  
Brown (SC) Fossella LoBiondo  
Brown, Corrine Foster Loeb sack  
Brown-Waite, Frank (MA) Lofgren, Zoe  
Ginny Gallegly Lowey  
Buchanan Gerlach Lucas  
Burton (IN) Giffords Lynch  
Butterfield Gilchrest Mahoney (FL)  
Buyer Gillibrand Mahoney (NY)  
Calvert Gohmert Manzullo  
Camp (MI) Gonzalez Markey  
Cantor Goode Marshall  
Capito Goodlatte Matheson  
Capps Gordon Matsui  
Capuano Granger McCarthy (CA)  
Cardoza Graves McCarthy (NY)  
Carnahan Green, Al McCaul (TX)  
Carney Green, Gene McCollum (MN)  
Carson Gutierrez McCotter  
Castle Hall (NY) McDermott  
Castor Hall (TX) McGovern  
Cazayoux Hare McHenry  
Chabot Harman McHugh  
Chandler Hayes McIntyre  
Childers Heller McKeon  
Clarke Hensarling McNulty  
Clay Herger Meek (FL)  
Cleaver Herseth Sandlin Meeks (NY)  
Clyburn Higgins Melancon  
Cohen Hill Mica  
Cole (OK) Hinchey Michaud  
Cooper Hinojosa Miller (FL)  
Costa Hirono Miller (MI)  
Costello Hobson Miller (NC)  
Courtney Hodes Miller, Gary  
Crenshaw Hoekstra Miller, George  
Cuellar Holden Mitchell  
Culberson Holt Mollohan  
Cummings Honda Moore (KS)  
Davis (AL) Hooley Moore (WI)

Moran (KS)	Roskam	Sullivan
Moran (VA)	Ross	Sutton
Murphy (CT)	Rothman	Tanner
Murphy, Patrick	Royce	Tauscher
Murphy, Tim	Ruppersberger	Taylor
Murtha	Rush	Terry
Musgrave	Ryan (OH)	Thompson (CA)
Myrick	Ryan (WI)	Thompson (MS)
Nadler	Salazar	Thornberry
Neal (MA)	Sánchez, Linda	Tiahrt
Oberstar	T.	Tiberi
Obey	Sanchez, Loretta	Tierney
Olver	Sarbanes	Towns
Ortiz	Saxton	Tsongas
Pallone	Scalise	Turner
Pascarell	Schakowsky	Udall (CO)
Pastor	Schiff	Udall (NM)
Payne	Schmidt	Upton
Pearce	Schwartz	Van Hollen
Perlmutter	Scott (GA)	Visclosky
Peterson (NC)	Scott (VA)	Walberg
Peterson (PA)	Sensenbrenner	Walsh (NY)
Petri	Serrano	Walz (MN)
Pickering	Sessions	Wamp
Platts	Shays	Wasserman
Pomeroy	Sherman	Schultz
Porter	Shimkus	Waters
Price (GA)	Shuler	Watson
Price (NC)	Shuster	Watt
Putnam	Simpson	Waxman
Radanovich	Sires	Weiner
Rahall	Skelton	Welch (VT)
Ramstad	Slaughter	Weller
Rangel	Smith (NE)	Wexler
Regula	Smith (NJ)	Whitfield (KY)
Rehberg	Smith (TX)	Wilson (NM)
Reichert	Smith (WA)	Wilson (OH)
Renzi	Snyder	Wilson (SC)
Reyes	Solis	Wittman (VA)
Richardson	Souder	Wolf
Rodriguez	Space	Woolsey
Rogers (AL)	Speier	Wu
Rogers (KY)	Spratt	Yarmuth
Rogers (MI)	Stark	Young (AK)
Rohrabacher	Stearns	Young (FL)
Ros-Lehtinen	Stupak	

## NOES—20

Barrett (SC)	Foxx	Neugebauer
Broun (GA)	Franks (AZ)	Paul
Campbell (CA)	Garrett (NJ)	Sali
Cannon	Johnson, Sam	Tancredo
Carter	Lamborn	Westmoreland
Coble	Lungren, Daniel	
Conaway	E.	
Deal (GA)	Mack	

## NOT VOTING—42

Biggert	Hastings (FL)	Napolitano
Bishop (GA)	Hastings (WA)	Nunes
Bishop (UT)	Hulshof	Pence
Brady (TX)	Hunter	Pitts
Burgess	Issa	Poe
Conyers	Jackson-Lee	Pryce (OH)
Cramer	(TX)	Reynolds
Crowley	King (NY)	Roybal-Allard
Cubin	Kingston	Sestak
Dreier	Lampson	Shadegg
Everett	Marchant	Shea-Porter
Flake	McCrery	Velázquez
Frelinghuysen	McMorris	Walden (OR)
Gingrey	Rodgers	Weldon (FL)
Grijalva	McNerney	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are less than 2 minutes remaining in this vote.

□ 1733

Mr. SALI changed his vote from "aye" to "no."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. ROYBAL-ALLARD. Madam Speaker, I was not present for rollcall vote 615 on Thursday, September 18, 2008. Had I been present, I would have voted "aye" to suspend the rules

and pass H.R. 6460, the Great Lakes Legacy Reauthorization Act of 2008.

Mr. REYNOLDS. Madam Speaker, on rollcall No. 615 I was inadvertently absent. As a representative of a Great Lakes State, a co-sponsor of H.R. 6460, and a strong supporter of the Great Lakes Basin, had I been present, I would have voted "aye."

## PERSONAL EXPLANATION

Mr. NUNES. Madam Speaker, today, September 18, 2008, I was unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 612, "no"; rollcall 613, "no"; rollcall 614, "nay"; rollcall 615, "aye."

## REPORT ON H.R. 6947, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2009

Mr. PRICE of North Carolina, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110-862) on the bill (H.R. 6947) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Ms. BERKLEY). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## LEGISLATIVE PROGRAM

(Mr. BLUNT asked and was given permission to address the House for 1 minute.)

Mr. BLUNT. I yield to my friend, the majority leader, to give us an update on what we intend to do next week.

Mr. HOYER. I thank the whip for yielding.

On Monday, the House will meet at 10:30 a.m. for morning hour and 12 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Tuesday, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business.

On Wednesday and Thursday, Mr. Speaker, the House will meet at 10 a.m. for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. The complete list of suspension bills will be announced by close of business tomorrow. We will also consider H.R. 5244, the Credit Cardholders' Bill of Rights Act of 2008; the fiscal year 2009 Department of Defense Authorization Act; and a continuing resolution for fiscal year 2009.

In addition, we will consider any bills we get back from the Senate, including an energy tax extender bill, the alternative minimum tax bill, and the mental health parity bill.

Mr. BLUNT. I thank the gentleman.

On the Department of Defense Authorization Act, would that be a conference report we'd expect?

Mr. HOYER. We're hopeful. As you know, the Senate has passed it but has not, as I understand it, agreed to go to conference. So we may have to just have an informal conference, as I call them, or others call it ping-ponging. In other words, I think Mr. SKELTON and Mr. LEVIN and the ranking members are working to see whether they can agree on a form of the bill that would then pass from here again to them, and they would then pass it finally. It's effectively a conference, but the Senate has not gone to conference. So we can't very well have a conference report if the Senate doesn't go to conference. But both Mr. SKELTON and Mr. LEVIN and I believe the ranking members as well want to get the reauthorization bill done.

Mr. BLUNT. I thank the gentleman for that. I am tempted to go into the whole topic of the informal conference. It's so frustrating to all of us.

Mr. HOYER. I know you have time constraints that would dictate against that.

Mr. BLUNT. This may very well be the last time, certainly before the election, we have a chance to talk about the work we get done in the next few days, and so I do have some questions, and I won't go there, but I would like to see us get that Defense authorization bill done. I do think it's a shame that we can't do that in an appropriate conference and go through the regular process.

Mr. HOYER. Will the gentleman yield?

Mr. BLUNT. I yield.

Mr. HOYER. I share his angst about not getting this bill done. As you know, I gave Mr. SKELTON on May 18 of this year to do that bill. The committee brought the bill out on May 18. We passed the bill. It's been in the Senate ever since, and I think we both share a concern that that hasn't been done, but of course, as you know, the Senate just passed it a few days ago, yesterday as a matter of fact.

Mr. BLUNT. I thank the gentleman for that.

On your indication the House will and of course has to consider some way to continue funding the government with the fiscal year ending at the end of this month and no appropriation bills passed up until now, we would be considering a continuing resolution next week. Does the gentleman have a sense of whether that would be a continuing resolution with other items on it and what any of those other items might be?

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

I expect it to be a continuing resolution as opposed to an omnibus, an omnibus, of course, being the cumulative bills put into a very large bill. I don't expect that to be the case. I expect it to be a CR, but I do expect to have additional items on that continuing resolution. The extent of that has not yet been determined. There's a lot of discussion, as I'm sure you're well aware

of discussion on your side as well, about things that people would like to have on the bill.

In addition, there are discussions between the White House and the Appropriations Committee, Mr. OBEY and Mr. Nussle, the OMB director. I have had discussions with the White House about items, some are called anomalies, that is, things that otherwise would have been done if we had done the regular bills, that the White House believes need to be done. There are a number of things that are being discussed of that kind.

In addition, we're going to have discussions about anything that we may need to do in the short term with reference to the extraordinary calamity that has confronted our economy. Whether anything addressing that will be in the CR or not is unclear at this point in time, but that's a possibility.

So I tell the gentleman, it will not be an omnibus in the sense that you and I understand an omnibus and the body understands an omnibus. For the most part, we will probably be looking at spending being at last year's levels for most of the items that we're talking about.

Mr. BLUNT. The House has, I guess, passed one of the 12 appropriations bills. Would the gentleman anticipate that any other bills in addition to that one might be included in the continuing resolution, and if so, which ones might we be looking at?

Mr. HOYER. It is possible, but I think given the time frame that there is some concern about the time it will take to consider more lengthy pieces of legislation would impede getting the CR done. So that there may not be full bills, as I indicated. Obviously we do want to ensure funding of the government. We want to continue further operations of the government, both on the national defense side and the national security side, homeland security side, as well as all other departments of government.

At this point in time, I really can't answer that question, but I can tell you that my belief is at this point in time that we would be largely dealing with bills at last year's level.

Mr. BLUNT. Would the gentleman anticipate that we would be dealing with the continued funding of the government again in this session of Congress? In other words, would the time frame be mid-November or do you anticipate a time frame well into next year?

I would yield.

Mr. HOYER. I think mid-November is obviously an option. There have been discussions, as you know, on timing with the White House. I don't know whether you know, but I've had discussions with the White House on timing. I think they're relatively flexible on timing. Nobody has said this time or that time. There is obviously a wide variety of dates being discussed, mid-November being one. The Speaker and I, and I think Senator REID has also ex-

pressed himself on this issue, but the Speaker and I are hoping that we would do a February date or even a March 1 date, so there would be some clarity in where we're going, whoever is elected President.

The date, though, is still obviously not resolved. We will have to discuss that with the White House and see what we can get through the House and the Senate, but November is obviously a possibility.

I will tell the gentleman we will be back here. I hope my office has had these discussions with you. But we're looking at, as we usually do, the week before Thanksgiving, about a week-and-a-half, 10 days after the election, the week of the 17th as the date when we would come back and organize, which would also be a week available for session if it was needed.

I might also add, if I could, further, that we had discussions today and we're all very, very concerned, and you and I are going to be meeting on it later tonight, very concerned with the economic conditions that confront our Nation at this point in time. So we are going to be ready to come back in October, if necessary, depending upon what discussions we have and what, hopefully together, in a bipartisan way, we believe needs to be done to respond to the crisis.

Mr. BLUNT. I'm grateful to have that potential to be back in October, and we have very few scheduled work days from the 1st of August to the end of the year, but clearly this economic situation we're in could very well bring us back.

The gentleman mentioned that list of—we call them here anomalies, but they're really the things that wouldn't necessarily be part of or perhaps should be part of a straight extension of funding. I know one of those on the energy front that's been discussed a lot would be the moratorium on using money to begin the process of leasing and exploration on either the Outer Continental Shelf or the so-called oil shale moratorium in the West. Does the gentleman have a sense of whether those moratoriums would be included in the CR or, as the administration has asked, that they not be included in the CR?

I would yield.

□ 1745

Mr. HOYER. I thank the gentleman for yielding.

We've had discussions about this. As I said at my press conference on Tuesday, there have been no discussions about including that moratoria in a CR. I want to make it clear; there haven't been discussions about it that we won't or we will. My expectation is, though, we passed a bill, we think it is a good bill, we think it opens up drilling. And there will be some discussions both on the Senate side—we don't know what the Senate side is going to do with it—and with the White House on that issue.

We've had pretty open discussions with the White House on this issue. I

know there's been a letter signed by a large number on your side about that issue. The White House is obviously sensitive to that, but I don't think that's going to be a stumbling block.

Mr. BLUNT. If it's not there, it won't be a stumbling block for our side, based on the letters you've seen and other things. That's for sure.

Tomorrow, at one point we were believing that some issues could be included in what was being called an economic stimulus package could be on the floor. That's not happening now. Would you see some of those issues also as likely things that might be added to the continuing resolution?

I would yield.

Mr. HOYER. Those are some of the items that, yes, as I said, could well be added to the CR. We're going to have discussions. I'm going to have discussions with your side—with you, in particular—on this issue.

Again, I think there's nobody who wants to shut down government. And there's nobody, frankly, that doesn't want to make sure—for instance, let me give you an example: Unemployment insurance. We're very concerned about people who are going to be running out of their unemployment insurance. If we're not here, we want to make sure that there is authorization for the dollars—that are available, obviously—to be spent for extension benefits for people that run out because they can't find employment in the context in which we are now finding ourselves. So yes, that is possible.

Mr. BLUNT. I would say, just to clarify on that topic, what they would be running out of would be the end of the first 13-week extension on top of the normal unemployment.

Mr. HOYER. That's correct.

Mr. BLUNT. So the unemployment fund would not be running out of money—

Mr. HOYER. That's correct. You would have to authorize the additional 13 weeks.

Mr. BLUNT. But the people who already used one extension, that extension we agreed to 9 or so weeks ago would reach its 13-week conclusion is what the gentleman is discussing?

Mr. HOYER. Yes, sir. We won't be here on that particular date, or week, and therefore, we might have to make accommodations for that.

There are other things, obviously, that we have talked about that we are having concerns about: creating jobs, providing for jobs in our economy. We're doing a lot of investing in, some would say "bailing out" companies that had a whole lot of assets, but now we have people who don't have a whole lot of assets, have lost their home and who are facing heating bills that are spiking up very seriously, facing a tough time buying groceries because grocery prices have spiked, and they may be out of a job.

There are a number of issues that we are concerned about. We have been faced with Lehman Brothers and AIG

and Fannie Mae and Freddie Mac. But there are a lot of little people who are having equal problems for them, and we want to make sure that we address them, and I know you do as well.

Mr. BLUNT. On that list of things we discussed, I don't know that we have specifically discussed it, but some kind of redefining the previously authorized loans to auto companies could be in that effort of things we look at on the CR?

I would yield.

Mr. HOYER. Redefining, as much as both clarifying what is available, and funding.

As you know, we authorized, in the 2007 bill, \$25 billion in guarantees for modernization to comply with more efficient automobiles, which we believe is a very important aspect of becoming energy independent, reducing the demand for petroleum products. And, yes, that may well be there as well. Hopefully we can get agreement with the administration, your side, and our side on what that ought to be.

Mr. BLUNT. The only specific question I had from a Member right before we started was whether or not, in the suspensions for next week, the Great Lakes Compact could be included in that. I think we sent that message over that I might be asking about that.

Mr. HOYER. It's possible. I'm smiling because—

Mr. BLUNT. I was hoping for a little more definition than that.

Mr. HOYER. I understand that, and I'm sure you would like that. I'm smiling because every time I walk on the floor I have at least 50 Members who ask me if it's possible that a suspension bill will be on the Suspension Calendar next week. We're working to try to get a workable list that both sides can agree with and we can facilitate the passing of policies that are not controversial, but just need time to get done. And so I say it's certainly possible.

Mr. BLUNT. On that issue, it's my understanding, at least, that Chairman OBERSTAR and the Great Lakes delegation is substantially in favor of that. Hopefully that has removed whatever obstacle that we've been dealing with with that issue.

And I yield back.

Mr. HOYER. I thank the gentleman.

#### ADJOURNMENT TO MONDAY, SEPTEMBER 22, 2008

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning-hour debate.

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### PERMISSION TO CONSIDER AS ADOPTED MOTIONS TO SUSPEND THE RULES

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the motions to suspend the rules relating to the following measures be considered as adopted in the form considered by the House on Wednesday, September 17, 2008:

House Resolution 1432; H.R. 6681; H.R. 6229; H.R. 6338; S. 171; H.R. 6772; House Resolution 1356; House Concurrent Resolution 408; H.R. 3986; and Senate Joint 35.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. Without objection, sundry motions to reconsider are laid on the table.

There was no objection.

#### CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-148)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2008.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, in Pennsylvania, and

against the Pentagon committed on September 11, 2001, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, September 18, 2008.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### HONORING COACH DON HASKINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Mr. Speaker, I rise to honor one of the greatest figures in American sports history, a coach who shattered racial barriers and forever changed the game of basketball. He led an all-African American starting lineup to victory against an all-white powerhouse team in the 1966 NCAA Basketball Championship.

Coach Don Haskins, better known to us as The Bear, passed away on Sunday, September 7, in El Paso, Texas at the age of 78. I had the privilege of calling Coach Haskins a friend, and I join all of El Paso and his many fans across the Nation in mourning his passing.

Although he never saw it or intended to be one of the greatest civil rights pioneers in sports, his commitment to playing the most talented athletes regardless of skin color in the 1966 championship was a major turning point in American sports and the civil rights movement.

The landmark game between Texas Western College—which is now proudly known as the University of Texas at El Paso—and the University of Kentucky at that time is often regarded as one of the greatest moments in sports history and the most important game in college basketball.

For those of us from El Paso, Don Haskins was more than just a coach. He was a community icon that put a little known west Texas town in the national spotlight. He was fiercely a loyal supporter and has always been a diehard fan of the University of Texas at El Paso and could be seen often in the stands cheering on his beloved Minors.



Coach Haskins arrived at Texas Western College in 1961 and retired in 1999 after 38 seasons with a record of 719 wins and 353 losses. He led our Minors to seven Western Athletic Conference Championships, 14 NCAA Tournament appearances, and seven appearances in the National Invitational tournament. Coach Haskins also served as an assistant coach in the 1972 U.S. Olympic team.

On September 29, 1997, Coach Haskins was inducted into the Naismith Memorial Basketball Hall of Fame. Ten years later, the entire 1966 Texas Western team joined their coach in this honor, becoming just the sixth team in the history of basketball to do so.

Though known for his ferocity on the court, off the court Coach Haskins was humble, compassionate, and witty. He never relished in celebrity, even after his story and that of the 1966 Texas Western team made it to the big screen in the 2006 Disney production of *Glory Road*.

He touched many lives, and never hesitated to help any person in need. He was known for visiting coffee shops around our town—many of them in poor areas—and would order a single cup of coffee, but leave a \$20 tip. He never once bragged or boasted about what he did for others.

At Coach Haskins' memorial service, the University of Southern California basketball coach, Tim Floyd, a former UTEP assistant coach under Coach Haskins, shared a very moving story that demonstrates the kinds of deeds that Coach Haskins did for people often in need. It is told that one day Coach Haskins was driving to El Paso from Van Horn, Texas—which is approximately 120 miles from El Paso. He was driving, as all of us that knew and loved him, in his signature white pickup truck. While driving, he noticed that a station wagon had broken down and was stranded on the side of the road; it was a single mom with four children.

□ 1800

Coach Haskins, typically, pulled over, and he asked the mother if she needed help. She told Coach Haskins that she was trying to get to Los Angeles, but her car had broken down. Coach Haskins squeezed all of the four children and the mom inside the cab of his pickup and drove them to El Paso. He put the family up in a hotel, arranged for their car to be towed and repaired, and he gave the mother \$1,000 to help her get to Los Angeles.

Coach Haskins never mentioned this to anyone, including to his wife. It wasn't until the mayor of Van Horn called the coach's office and the now Coach Tim Floyd answered the phone that he found out what had occurred. Coach Floyd never shared this story while Coach Haskins was alive because he knew that Coach Haskins wouldn't want anyone to know about it.

This is but one example of the hundreds of stories that people tell about our legendary coach.

Mr. Speaker, when reflecting on his decision to start five African American players, Coach Haskins simply said, "I just played my five best players."

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). The time of the gentleman has expired.

Mr. REYES. I ask unanimous consent for an additional minute.

The SPEAKER pro tempore. The Chair cannot entertain that request. The gentleman will finish his remarks.

Mr. REYES. I'll file the rest for the RECORD. Thank you.

#### PARLIAMENTARY INQUIRY

Mr. HUNTER. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. HUNTER. Could I be recognized for 1 minute and then yield it to my friend from Texas?

The SPEAKER pro tempore. Without objection, the gentleman is recognized for 1 minute.

There was no objection.

Mr. HUNTER. Thank you, Mr. Speaker.

I would yield to the gentleman.

Mr. REYES. I thank my friend from California.

Coach Haskins never sought or wanted credit for changing college basketball, and he would always say, "I just wanted to win the game."

Like many of history's greatest role models, it was the humility and unassuming personality after achieving unprecedented success that, today, he inspires us all.

He is survived by his lovely wife, Mary, and was the proud father of Brent, David, Steve, and Mark. Although he is no longer with us, we know that his spirit will always live on at UTEP and that his legend and legendary stories will forever remain an important part of our country's history.

God blessed us with Coach Haskins, and now we ask for God's blessing for our coach.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### AWARDING THE MEDAL OF HONOR TO SERGEANT RAFAEL PERALTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

Mr. HUNTER. Mr. Speaker, I think it's appropriate that I follow the remarks of my great friend SILVESTRE REYES, who was a great veteran of Vietnam and who was a wonderful leader, I think the best leader in the history of the Border Patrol, and who is a great Member of this body, but he is a gentleman who has been to Iraq many times and to Afghanistan many times.

Mr. Speaker, I take the well to comment on an event that occurred in San Diego, and that is regarding Sergeant Rafael Peralta, who was killed on November 14, 2004 in the now famous battle of Fallujah. He was killed, and absorbed the blast by an enemy grenade when, during house-to-house fighting, he was thrown into a small room while he and three other marines were working their way through this series of fire fights.

According to the eyewitnesses and to the citation that he received, he pulled that grenade to his body and absorbed the full concussion and the full explosive power of that grenade on his own body and, thereby, saved his fellow marines.

Now it has just been announced that he was awarded the Navy Cross, the second highest award for heroism, but not the Medal of Honor.

Mr. Speaker, the last person who did that same act, in fact, who was a marine and who did that incredible act of sacrifice in Anbar province, was Corporal Jason Dunham of Scio, New York. He was given the Medal of Honor—awarded it by President Bush in the White House—for falling on a grenade, for taking the shock and the deadly power of that grenade, thereby saving his colleagues.

That is the standard that we have traditionally placed and the metric that we have traditionally placed on this act of heroism of a soldier or of a marine who falls on a grenade or who pulls a grenade under him when it's in close proximity to his buddies, knowing full well that that grenade will most likely kill him but making that split-second decision to give his life for his colleagues and for his country.

Sergeant Rafael Peralta made that decision.

Mr. Speaker, it appears to me that he should have been awarded the same award that Jason Dunham and many before him have been awarded in Vietnam—the same theater that Mr. REYES fought in—in Korea, in World War II. Where we have recognized that standard of a soldier or of a marine who falls on a grenade or who pulls it to him to save his colleagues, we have traditionally recognized that act of heroism, that act of sacrifice with the Medal of Honor.

So, Mr. Speaker, I intend to ask the President—and I hope a number of other people join me to ask the President—to review this award and to award to Rafael Peralta, posthumously, the same award that we awarded just a few months ago to Corporal Jason Dunham.

#### FEDERAL FUNDING SHORTFALLS CRIPPLING NATIVE AMERICAN COMMUNITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota (Ms. HERSETH SANDLIN) is recognized for 5 minutes.

Ms. HERSETH SANDLIN. Mr. Speaker, I rise today to address an issue that has reached crisis levels in many Native American communities: the Federal funding shortfalls crippling tribal law enforcement and justice systems.

Native American families, like all families, deserve safe and secure communities. Tragically, there is a pervasive sense of lawlessness in too many areas of Indian country. As the at-large Member of Congress for South Dakota, I am proud to represent nine sovereign native nations.

The Federal Government has a unique relationship with the 562 federally recognized tribes. This government-to-government relationship is established in the U.S. Constitution, is recognized through treaties and is reaffirmed through executive orders, judicial decisions and congressional action.

Law enforcement is one of the Federal Government's trust obligations to tribes. Yet, on many counts, we are failing to meet that obligation. Less than 3,000 law enforcement officers patrol more than 56 million acres of Indian country. Let me repeat: 3,000 officers for 56 million acres. That reflects less than one half of the law enforcement presence in comparable rural communities.

A recent master plan for justice services in Indian country found that crime is increasing. The report notes that drug cartels deliberately base their operations in Indian country because of the lack of law enforcement. Once drug producers gain a foothold in reservations, they can sell drugs throughout the United States. Drug trafficking demonstrates that weak tribal law enforcement systems are not just a problem for Indian country; they affect us all.

In addition to drug activity, the rates of crime against women are staggering. In June 2007, Amnesty International released their report, entitled "Maze of Injustice," which documents what native women have long known before and have fought against. The figures suggest that 34 percent of native women will be raped in their lifetimes. Even more women will be victims of domestic violence. When tribal law enforcement departments are understaffed, there are delays in responding to victims and to collecting evidence.

At a 2007 Natural Resources Committee field hearing, we heard from Georgia Little Shield, director of the Pretty Bird Woman House on the Standing Rock Reservation, which was named in honor of a Lakota woman who was brutally raped and murdered in that community.

Ms. Little Shield told of a woman who was beaten by her partner and who had called her for help in filing a police report. They called the police and were told, when an officer becomes available, he would take her statement. After 2 hours of waiting, they called again. The one officer on duty had been

sent to the scene of a traffic accident. After waiting 2 more hours, they called yet again. In the end, the police officer never came to take her statement.

Large land-based reservations are hit especially hard by insufficient funding. For example, the Cheyenne River Sioux tribal chairman has testified that his tribe has only three officers per shift to cover an area almost the size of Connecticut. These situations and statistics show that the extent of these problems far exceed the level of appropriations.

I applaud the interior appropriations subcommittee Chairman NORMAN DICKS and the entire Appropriations Committee for increasing tribal law enforcement and justice funding by \$28.7 million from fiscal year 2007 to fiscal year 2008. However, we have much more to do.

In 2004, the Interior Department Inspector General reported on the deteriorating conditions of tribal detention facilities. Four years later, not much has changed.

Last month, the BIA jail in Pine Ridge, South Dakota was closed for safety reasons after years of insufficient maintenance by the Federal Government. It's estimated that the tribal detention system alone will require \$8.4 billion to address our current deficiencies.

In conclusion, fully funding tribal law enforcement will not fix every problem such as the lack of transparency and accountability at the BIA. That is why I am proud to sponsor the Tribal Law and Order Act. This act was written by Senator DORGAN, chairman of the Indian Affairs Committee in the Senate. I look forward to working with him to ensure the bill becomes law.

The immediate challenge facing tribes is the insufficient Federal funds that leads to too few officers, to jails too unsafe for inmates and staff and to tribal courts nearly overwhelmed with caseloads.

Let me say again: Native American families, like all families, deserve to raise their children and to live their lives with a basic sense of security and safety. Congress must meet our trust responsibilities by fully funding tribal law enforcement and justice systems.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PAYNE) is recognized for 5 minutes.

(Mr. PAYNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HONDA) is recognized for 5 minutes.

(Mr. HONDA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the minority leader.

Mr. GINGREY. I thank the Speaker for his recognition, and I thank the minority leader for yielding the time for me to speak on such an important issue this evening.

Of course, that is the ongoing problem with the crisis as to our price of energy, as to the price of gasoline at the pump, as to the price of heating oil, particularly as we get into the winter months approaching in the northeast, and people are continuing to struggle.

Mr. Speaker, I think it's important in any discussion about energy to let the American people know this through the Members of this great body on both sides of the aisle, at the end of this 45 minutes to 1-hour period of discussion on the issue, who hopefully will be able to go back home and in a very frank, honest way discuss with their constituents what exactly we've been doing up here in the people's House over the last couple of months. I'll tell you, from my perspective—and I think it would be hard for anybody to disagree—the answer is not very much, not very much, indeed.

As you know, Mr. Speaker, in the first week in August, we left Washington for that traditional August recess, which actually was more than a month. It was actually 5 weeks when you included the Labor Day weekend. So we were going to be out of here for 5 weeks. At the time, people were paying \$4, more in some places, a little less in some places, but on average, it was \$4 a gallon for regular gasoline; for diesel fuel, it was even higher than that. People certainly couldn't afford to take a vacation.

□ 1815

We didn't see nearly as many people here in the Nation's Capital during month of August because of this.

The Republican minority party had introduced a bill actually a month before that, and it was called, as you recall, Mr. Speaker, the American Energy Act, or the all-of-the-above act, which included certainly as a cornerstone drilling, and a lot of people picked up different mottos like "drill, baby, drill," "drill here, drill now," "save money."

The point of all that was to try to emphasize the fact that we do, even though we have this tremendous dependency for our fossil fuel needs, particularly petroleum and natural gas from other countries, 60 percent of what we use, our daily utilization is being imported from other countries, and they don't all like us very much, unfortunately, and that gives them sort of a stranglehold on our economy.

So this bill does have a strong component of going after our own natural resources, be they natural gas or petroleum products, or converting other things, unconventional things like shale rock or coal-to-liquid petroleum or to natural gas.

We kept asking and saying to the leadership, the Democratic leadership, look, let's don't go home on August 1st. This August recess is a 5-week period of time. Members certainly want to get back in their districts, and all of us really are up for reelection. Some have tough reelections, both Democrats and Re-

publicans, and we all understand the need to get back and be in the community. But if we are not doing their work, if we are not solving their problems, if we are not making sure that when the school doors open the day after Labor Day, or in fact mid-August in most places, that the kids are going to be able to go to school five days a week and not four, that they are going to be able to ride the school buses and they are not going to be shut down at the school barn because there is no gasoline or diesel fuel to put in them, so let's stay here another week if it takes it, three days, whatever, we are smart people, and let's get this done. Then we can go home.

It is kind of like you don't want to leave campus until you have passed your last exam. How can you go home for, say, Thanksgiving or Christmas and relax, knowing that when you get back you have still got your work to do? It just made no sense. But, anyway, as you know, Mr. Speaker, the Democratic majority made the decision and moved for adjournment basically that day, that Thursday or Friday afternoon, cut off all debate.

So what the Republican minority decided to do, it was kind of a spontaneous thing, really, it wasn't planned ahead, we said, well, we are not going home. We are not going to take recess until we have done our homework.

So there were, I don't know, 40 or 50 Members just kind of mulling around. And, lo and behold, the lights got turned off, the microphones got turned off, the C-SPAN cameras weren't showing no video. But these brave men and women, all on the Republican side, but we kept asking for our colleagues on the Democratic side, Mr. Speaker, to join us, because we know, we know full well that there is like-mindedness on this issue on both sides of the aisle, but for the stranglehold that they have with their leadership.

So we came back. We would fly, go home, go work a couple of days, jump on a plane, come back up there, stand right here. We would bring people in from the gallery. Not just this gallery, but out in Statuary Hall. People were taking tours through the Capitol. They marched in here in droves and sat in our seats and listened to us. And Members would speak 10 minutes, 15 minutes, a tag-team approach, trying not to be partisan, but just say, look, we have a job to do and we are not doing it. And when you go back home, particularly if you are a Democrat from the Midwest or the Northeast or you are a Republican from the Southeast or the Far West, or just an independent voter, let your Congressmen and Congresswomen know, let your Senators know that you want something done about this, that you are suffering, your grocery prices are through the roof.

So this is how it all got started. We kept thinking, I kept thinking that any day people would ask, how long are you Republicans going to keep this up now? How long can you go? Is it going

to be 5 weeks? I said, well, I sure hope not. I hope that Ms. PELOSI is listening, Mr. HOYER is listening. They are intelligent people, no question about it. They wouldn't be in these positions of leadership if they are not.

I thought, well, the force of public opinion, these polls taken all across this country, Mr. Speaker, are saying that 85–88 percent of the American people want us to do this. They don't want us to be dependent on Venezuela and Iran and Russia. They don't mind us importing a little oil from Canada and a little oil from Mexico, but they fully agree that if we have got this product, this natural resource right here in River City, why wouldn't we use our own? So if you believe in the law of supply and demand, you increase that supply from anywhere in the world, in fact, and you will help balance some of that demand and bring down prices. But even better, if you increase your own domestic supply, then you are a player. Then you are a player. So that is what we were all about.

Well, as we came to the end of the August recess, we began to hear little tidbits of sound bites from Ms. PELOSI, and it sounded like maybe that she finally was getting the message, either from the Republicans in Washington or maybe some individual late-night phone calls from her own conference, particularly the Blue Dog Members who I felt may have wanted to come up here and join us and speak. So Ms. PELOSI said, well, we will maybe look at drilling when we get back.

Lo and behold, we get back now, we had three weeks, three weeks, we thought 15 days, but as it turns out it is only going to be at the most 13, because they cut us short Friday of last week, they are cutting us short Friday of this week, and maybe we will go 5 days next week. But 13 days working out of five months, from August 1st. There are no plans that I know of for any kind of session after we end here next Friday. We won't come back to this body, Mr. Speaker, until after the new President, the new administrative team is sworn in.

So to think we are working full time for the taxpayer, and that by definition is what we do and we are not really permitted to go back home and have another job, and here we are working 13 days in five months, there is something wrong with that math, something very wrong with that math.

So I cannot tell you in strong enough terms, Mr. Speaker, how disappointed I was when I got back and looked at this bill, this none-of-the-above energy bill, not all-of-the-above, but none-of-the-above, that none-of-the-above, the acronym is NOTA, NOTA energy bill that was presented to us on this floor that we voted on this week, and it does very, very little in regard to drilling.

I tell you, I feel blessed tonight to have with me one of my colleagues from Tennessee, a Member that has been here probably twice as long as have. He is twice as young as I am. He

is not nearly as good looking. But he is a very good member of the Energy and Commerce Committee and he knows this subject inside out and backwards.

I am happy at this point to yield to my friend from Tennessee, ZACH WAMP. Then we will kind of do a colloquy and further discuss this issue.

ZACH, take it away.

Mr. WAMP. Well, I thank the gentleman for yielding. I even come over to the Democratic side to begin my commentary tonight, because in my 14 years here, I have developed extraordinary relationships across the aisle.

I actually grew up a Democrat. Ronald Reagan made me and many people in my family members of the Republican Party. And I constantly say here that I don't think either party has an exclusive on integrity or either party has an exclusive on ideas, and at different times both parties have really let the American people down. But I think it is important right now to analyze where we are and what the important issues are that are not adequately being addressed here in the United States Congress at a real critical time for a whole lot of people.

This is not just talk. This is a fair assessment and analysis about where we are. As a matter of fact, National Public Radio interviewed me today and asked for my honest analysis about this new Democratic Congress that took over 2 years ago, because I was very blunt and candid and critical about the Republican majority of which I was a part over the last few years of our majority, because I felt like, and I stated it, that we were more interested in protecting ourselves for a period of time than the fundamental principles that brought us into a majority in 1994, and I knew we were sinking and I knew, frankly, we were going in the wrong direction.

Sure enough, we lost. The voters really didn't vote for the new Democratic majority as much as they voted against us. So I gave a fair assessment today of this new Democratic Congress that we have been under now for almost 2 years.

The success formula in life is sometimes defined as preparation and opportunity meeting each other. You hear a lot of other definitions of what success is. One definition of success in politics and public service might be to under-promise and over-deliver. And I have to tell you that what I really have seen here in the last 2 years is over-promising and under-delivery.

This new majority, and I am not a critic, I am rarely critical, and I am not a blamer, I rarely blame, but I have to tell you, it is unbelievable how bad things have gotten here in the Congress in the last several months.

The tradition of bringing the appropriations bills to the floor, taking them through the committee, having an opportunity to amend them, has basically just been thrown out the window. They came in ballyhooing that they were going to have the most eth-

ical Congress in the history of the country; that no earmarks would ever be dropped in straight on the floor that weren't properly vetted and gone through the committee; that nothing would come to the floor straight from the Rules Committee under a closed rule that is not an open process where the people who are rightly elected would have access to offering substitutes; that they wouldn't strong-arm their own Members to vote against things that they had actually cosponsored.

I have to tell you, all of those things that I just said they had promised were violated, not just in the last 2 years, but this week. Every single thing that I just mentioned was violated by the majority this week, and it was an ugly week here in Congress when we finally got to the most important issue of the year, which is energy.

I want to tell a couple of stories. Three years ago, after Katrina hit, I was on two appropriations subcommittees that had jurisdiction to the aftermath of Katrina, the Interior Appropriations Subcommittee and the Energy and Water Appropriations Subcommittee.

When Rita was bearing down, the second hurricane, on Galveston, they called an emergency meeting of our two subcommittees and called us into a room and they said, if Hurricane Rita continues on the track it is on and it hits Galveston head-on, we need to inform the committees that by next week we will not have gasoline across the eastern seaboard in some places. And it was an emergency crisis kind of a call.

I have to tell you that after Ike last week, in a small way, but in a very meaningful and unfortunate way, that happened in Tennessee. Prices spiked to \$4.99 a gallon. In some stations there was no gas whatsoever. And that was from Ike, that did less damage than was feared, and it just proves how vulnerable we are as a nation because of energy.

This issue is now bringing us to our knees economically. So many people on fixed income are hurting so bad. And even the markets. You wonder about Wall Street and what has happened and the mortgage industry.

Listen, credit has been overextended, and those people ought to be held accountable and the government shouldn't come in and bail out the private sector. But I can tell you one reason why the credit is not being honored and the bills are not being paid, is because the cost of energy for American consumers has soared so much that they can't meet their obligations and people are being foreclosed on, credit is not being paid on time. And these big institutions like AIG and Bear Stearns and Lehman Brothers, they have all consolidated and they have over-extended credit. But it is a huge problem, and most all of it is driven by energy. And if we don't diversify our supply, if we don't increase our domestic

production, if we don't throw the ball deep on energy, we are going to continue to come to our knees economically.

Now, you might ask, why would the refineries not be able to give the output if one or two of them are down or if there is a hurricane that comes in? Let me just say that all of the new permit applications to explore for oil and gas or bring on new refineries face litigation from these extreme groups that are lined up with lawyers 10 deep to stop new oil and gas production in this country.

□ 1830

That's the truth. That's the truth. That is a special interest that has a foothold in the Congress with this new majority. That's the truth. They score their votes, they rate them, and this week they pressured them to vote against a new capacity bill that was bipartisan, created by dozens of Members from both parties and, frankly, they voted against the bill that they actually wrote.

Now, how can you get Members to do that unless those special interests, the radical environmental groups that file suit over all this new oil and gas supply that we have access to, but we have locked it up, and we want to unleash it, this is the critical issue of our time. Our way of life is at stake.

This is that important, and you are seeing a sinking of our economy, a loss of our competitiveness. Without natural gas resources, our manufacturing base is leaving this country, without the ability of our people to move around and make a living. Let me tell you, Dixie Produce, Lee Pittman, a small businessman and an excellent entrepreneur, pays his bills on time, works hard. He can't make a go of it because gasoline is too high for him to make a profit. He has nowhere to turn.

I feel for these people. I want this Congress to respond. I want us to throw the ball deep on energy.

Now the Democrats typically say all you all want to do is drill, and we want renewables. Listen, I am the cochairman of the Renewable Energy Caucus. I have been for 8 years. I have promoted more than anybody on our side, maybe ROSCOE BARTLETT and I, the expansion of tax credits and incentives for renewable investments, but they are not quite ready for the marketplace.

The total percentage of all energy is only 6 percent, and you can't increase it to 20 overnight. I would ask the new majority, if they really believe that much, why have they not extended the renewable tax energy credits and incentives all year long. We are still waiting for that. It's supposed to come up next week, they say.

Now today we hear they want to adjourn next Friday and put that off until after the election too. They are also talking about a new economic stimulus, which they say means unemployment compensation and other social-type programs. I know we have got

to help people that need relief, but the most important economic stimulus we can do is pass the American Energy Act, creating thousands and thousands of new production jobs in manufacturing and energy technologies for the whole world, for our country and the world. That's throwing it deep and going after it for all the right reasons.

Listen, this place is broken down to where for months now, this Democratic majority has been in retreat over this issue of energy because the radicals, the extremists, have basically convinced them that the higher the price of gas goes, the better off we are. People will quit driving and quit using fossil fuels if the prices go that high.

We don't believe that's in America's best interests. We believe we have got to build a bridge to the future by bringing on some new oil and gas supplies, diversifying our supply, go after the renewals in hydrogen and the new advancements and build nuclear plants, but we believe you have got to do it all.

This week they watered down a bill so bad that it has very, very little, if any, oil in it, even if you could do it. They passed it so the Members could go home and say we voted to drill. Please re-elect us and keep us there.

That's not really what the American people deserve or expect. I am not saying that Republicans are smart and Democrats are dumb, or we are good and they are bad. I am saying that they are not doing a good job representing what our country needs. They are not bringing the legislation to the floor, and they are playing politics with this thing, and we have got to have a bill soon to the President, because we can't put this off for any longer time.

Mr. GINGREY. I thank the gentleman for his remarks.

You know, Representative WAMP made one statement, there are actually people, I know this is hard to believe, I know it is, in these trying economic times, that want the price of gasoline to be high, that want to make it so high that we eliminate all fossil fuel. Look at this quote from Carl Pope, the executive director of the Sierra Club, a strong environmental club. "We're better off without cheap gas."

I mean, it's not just him. Ms. PELOSI herself has said many times that any bill that includes drilling is a hoax, and that she is more concerned with saving the planet. That is a direct quote on the national news network, my passion is to save the planet.

Then HARRY REID, the majority leader of the Senate says, and this is almost a verbatim quote, fossil fuel is poison. Fossil fuel is poison, and it needs to be eliminated completely by the year 2020. That's the kind of thing that Representative WAMP was talking about, and the nonsense that we are hearing from the other side.

Before I yield to one of my other colleagues, I just want to make this comment. When the 110th Congress began in January of 2007, I happened to sit on the Science Committee as well as the

Armed Services Committee. But our first Science Committee hearing of the year, our witness was—and this is pretty unusual, I have been up here 6 years, I have never seen this happen before, that the Speaker of the House would be a witness, or the sole witness before a standing committee—Ms. PELOSI.

It was all about global warming, and it was all about her plan to save the planet from carbon dioxide and greenhouse gases. She told us about the fact that she was going to create a commission of Congress, a bipartisan commission, I think. Ultimately she did, and Mr. MARKEY assumed chairmanship of that committee, even over the objection of the most venerable, distinguished long-serving member of this body, JOHN DINGELL from Michigan, who chairs the Energy and Commerce Committee.

But that was the kind of focus that Madam Speaker had at the time, when, of course, the price of gasoline was about \$2.33 a gallon.

A couple of weeks later, our second hearing in the Science Committee, who did we have again, a single witness. Guess who it was, former Vice President Al Gore just after he had gotten his Oscar award for that documentary film, "An Inconvenient Truth," about global warming. That's all they wanted to talk about was Kyoto Protocol and cap and trade and how we were going to eliminate the carbon footprint from this country.

It's a little hard, I mean, as we sit here tonight, talking, we are expelling, we are breathing out carbon dioxide. There are greenhouse gases all over the environment that are not necessarily created by what human beings do.

But, again, I think that certain people had drank all of the Kool-Aid in regard to global warming. Maybe when gasoline prices are low and \$2 a gallon, you can afford to do that. Do you remember the old expression, I can't be worrying about draining the swamp when I am up to my elbows in alligators?

Well, I think that's kind of the analogy of where we are right now. They are still worrying about draining the swamp, and we are up to our elbows in alligators with these prices that are literally killing the American people. They can certainly starve to death a whole lot quicker than they can choke to death from greenhouse gases over the next 100 years. I think it's important that we put that into perspective.

At this time, I see I have been joined by a couple more of my colleagues that do such a great job on the floor, one of our newest Members, but you would never know it by hearing him speak and the level of participation that he engages in, and that's my good friend from Ohio. I yield to BOB LATTA, Congressman BOB LATTA.

Mr. LATTA. Well, I thank my friend from Georgia for hosting this tonight because, once again, energy is the number-one topic on everyone's mind in this country. It has been a number-one

topic since I have gotten here, and I think it's going to be topic for years to come. It's really important for me.

My district, as a lot of you already know, I represent the number-one agriculture district in the State of Ohio, and I also represent one of the top 10 manufacturing districts in Congress. If we don't have energy in my district, we are not going to survive. If we don't have energy for those farmers, they can't get out there and plant those crops.

To tell you a couple of examples that have been going on, I have had meetings across my 16 counties, talking with farmers all over the entire district. Right now I have talked to many a farmer that when they go out with their tractor in the morning, and by the time they get back at night, they have put \$800 to \$1,000 of diesel fuel through their equipment in 1 day.

They talk about their fertilizer, they talk about the chemicals that they have to put on that land and make that land productive. They are coming back, and they are saying, you know, we are paying two and a half to three times more than we did 2 years ago for the same product.

The question is, well, these farmers are all getting rich right now. No, they are not, because they are out there having to pay all these high prices for diesel. They have to pay all these high prices when it comes to fertilizer. They have to pay all these high prices when it comes to chemicals, and they can't afford it.

What is happening, of course, is when people go to the store, and they buy that loaf of bread, when they buy that gallon of milk, they are saying, gee, why are prices going up? I can tell you why prices are going up, because these energy prices are out of control in this country. These energy prices are out of control because this Congress, this Democrat-controlled Congress, is not acting today to make sure that we can put food on the table and keep this price cheap for Americans.

We were able a few years ago, and up to this year, say that most people within 42 to 43 days were able to pay for all of their food in those first 42 to 43 days of the year. That's what we need to do in this country, because if we don't, it's the same thing that is going to happen on manufacturing side, we are in that same situation where right now the United States is the number one manufacturing country in the world.

Well, guess what, next year we drop to number two, and we all know who number one will be, and that will be China. They have been out there making sure they have that supply, but also they have that supply of energy that they have for the future.

So it's very, very important for not only the Fifth Congressional District of Ohio, but it's also important for this country of ours, this great country, to make sure that we can meet the energy needs of the future. I know that one of

our Members not too long ago told us a story about a trucker, a long-haul trucker in his district. He said he got a load to go from Texas to California and back.

He was paid \$1,700 for the entire load. Well, it cost him \$1,500 in fuel, so by the time you figure the cost of insurance, buying that truck and everything else, it would have been cheaper for him to let that truck stay at home and just leave the keys in it. Now, I have had truckers call me, independent truckers, saying you know what, Bob, we have got real problems out here. We are actually turning our keys back over to the finance company because we can't afford to even run our trucks anymore. We can't afford to do our job.

In Ohio, when we have 80 percent of all products being delivered by truck, how are we going to get things to the consumer, how are we going to get the product to market? So that's what we have got, massive problems right here, not only in Ohio, but across this country.

As has been mentioned a little bit by the gentleman before from Tennessee, we are talking about renewables. I am 100 percent behind renewables, because it is kind of interesting in my district, we already have one solar manufacturing plant in business right now. We have another one that's going to be on-line next year.

We also have a company working on a hydrogen engine, we have the only four wind turbines. I can see from them from the backyard of my house in Bowling Green. We also have two ethanol plants in my district.

The one thing is a lot of people like to think on the other side of the aisle, and some of the environmentalists, all this is going to happen overnight. It's not.

I was privileged to be one of the Members that went up to ANWR not too long ago, but we stopped in Colorado first at the National Renewable Energy Laboratory. When we were there, it was interesting, because I was fascinated because everything I just mentioned from solar to wind to hydrogen to ethanol, that's what they are doing out there right now.

Every time that we talked about something, they showed us something, for instance, we were talking about on the hydrogen side. They said this is what we would like to do on the hydrogen. It was kind of fascinating, because, well, we could create the hydrogen, because we could take a wind turbine and break down that electricity, break them into hydrogen, and we could run it down to like a hydrogen filling station so you could fill your car up right there.

But the same question I always asked every time we got through a subject is how long and how far are we? They said, we are not there yet. We are not there yet. We are off for quite a ways. It's just like the electric cars, they showed us electric cars.

A lot of us in northwest Ohio, and I know across this great country of ours,

a lot of people have to drive more than 50 miles one way to work. Well these cars, you can only go 60 miles before you have got to plug them back in. Well, that's a real problem.

You can't just go 60 miles in my district because you would never get home that night. If you are driving 100 miles one way, you have got a problem there. You know, but those are things we are working on for the future. As my friend from Tennessee mentioned earlier, these things are down the road, we are not there yet.

It's the same way when we talk about the wind side. You know, we have seen a lot of commercials on TV, from T. Boone Pickens and how much we would like to have, in the near future, by wind power. Well, the problem with that is it's going to take maybe 150,000 to 200,000 wind turbines to get us to that point. We are not there, next year or the year after, or the year after that. We are talking maybe 2020 or 2030.

We have got to have energy now. If we are not going to have energy now, we are not going to be able to manufacture. We are not going to have farmers in the field. This winter we have people telling me right now that we are not going to have the fuel to put in their tanks at home to make it through the entire winter when it comes to home heating oil.

We have a lot of work we have got to get done, and we have got to get it done now. When we went to ANWR, it was really fascinating in that when we were up there we flew up by Fairbanks into Prudhoe Bay. When Prudhoe Bay first came on line, they were talking about it might only produce around 9 to 10 billion barrels of oil. Now they have revised that, it could be up to 13 to 15 billion barrels.

The pipeline up there, you know, it's 800 miles long. That brings that lifeline down to the lower 48 to make sure that we have fuel. At its peak it was bringing down about 2.1 million barrels a day. Today it's only bringing down 700,000 barrels a day.

□ 1845

The thing that really concerns me when I hear that, when that number gets down to 300,000 barrels a day, and we are losing about 15 percent capacity every year up there, when it gets down to 300,000 barrels a day, that pipeline won't be able to flow any more. If there is oil in the pipeline, it will clog it up and they won't be able to go back in there and clean out the pipeline. That means that the pipeline is finished. When we are importing 70 percent of our oil every day into this country, we can't afford to shut that pipeline off.

It has also been demonstrated why we need diversification from where we get our oil in this country. When you have a hurricane and you have to shut down oil rigs in the gulf, and the refineries are out there, we have a problem. We have to diversify. We have to be up in Alaska. We know there is a known source of about 10.3 billion barrels.

So we have to drill and make sure that we have that oil for the future. Just real briefly in summation, when we are talking about what we want to do up there, we are talking about ANWR which is 19 million acres, the size of South Carolina. Section 10.02 land is about 1.5 million acres, and we need 2,000 acres to get this oil out. We have to make sure that we can get this done so we have a future for this country.

I applaud my friend for having this all-important special order tonight to bring up this subject about why we need energy for this country.

Mr. GINGREY. I thank my friend from Ohio. As Representative LATTA described, he and a number of Members did go up to Alaska in August and had an opportunity to meet the governor of Alaska, Governor Palin, and see what she had done in regard to getting that natural gas pipeline and that natural gas flowing down to the lower 48.

I feel refreshed and energized, not to use a pun, to think that Senator MCCAIN and Governor Palin understand this issue very well and have the wisdom and the strength of character and the force of leadership to deal with big oil, to deal with the environmentalists and to help us solve this problem as we go forward. So my colleagues, Mr. Speaker, I truly believe that hope is on the way.

Before I turn to my good friend and colleague from Louisiana, I want to say one other thing about this bill that Speaker PELOSI finally brought to us when we got back from this August recess, and certainly not by the regular process, not by going through the Energy and Commerce Committee and listening to the wisdom of JOHN DINGELL and JOE BARTON and others who have worked so well in a bipartisan manner to come up with a bill that we could all be satisfied with and that was good for nobodies' politics, or maybe everybody's politics, but more importantly, good for the American people.

It wasn't done that way. Unfortunately, the bill was drawn strictly by the Democratic leadership behind closed doors. If any of my colleagues can remember the song "The Green Door," behind the green door, and it was a 290-page bill and no Republican had any input. Indeed, no committee of jurisdiction.

But the ironic thing about that was that Ms. PELOSI, when she was trying to lead her troops to the majority, to the promised land back in the fall of 2006, she made some rather outstanding quotes, very attractive quotes like "bills should generally come to the floor under a procedure that allows open, full and fair debate consisting of a full amendment process that grants the minority," that would be us Republicans, we Republicans, "the right to offer its alternatives, including a substitute." This is Speaker PELOSI, a new direction for America.

How quickly we forget.

Another quote from Madam Speaker, "Members should have at least 24 hours



to examine a bill and a conference report text prior to floor consideration. Rules governing floor debate must be reported before 10 p.m. for a bill to be considered the following day." A quote from Ms. PELOSI back in 2006.

We have far more important things to talk about than process, so I yield to a physician colleague of mine from the great State of Louisiana. And if anybody knows about energy and refineries and what goes on in hurricane alley, Congressman CHARLES BOUSTANY does. And he probably spent a lot of time in his home in St. Charles after Ida and Gustav and the destruction and probably working in one of the Red Cross shelters trying to help victims of the hurricanes. But he did not lose sight of the ball in regard to energy. It only strengthened his resolve, and I yield to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I thank my friend and colleague from Georgia. A little bit about my district. My district is the 7th Congressional District of Louisiana. It is southwest Louisiana. So I am on the border with Texas. I am on the gulf coast, and we have been a long time leader in the oil and gas industry.

We have about 3,800 drilling platforms out in the Gulf of Mexico. Most of those are located off the coast of my district. I have one of the Strategic Petroleum Reserves in my district, and it accounts for one-fourth of the oil that we hold. I also have a confluence of pipelines called the Henry Hub which is the pricing point for natural gas for the entire country.

We have a number of refineries along the Calcasieu ship channel located throughout southwest Louisiana, so we have a significant amount of the refining capacity that supplies refined products to this country.

The oil and gas industry is about jobs. Every time I fly back and forth to my home in Lafayette, Louisiana, I run into four or five gentlemen typically who work in the oil and gas industry, and when I ask them where they are working, they are telling me that they are coming from or going to countries all over the globe, Angola in Africa, Equatorial Guinea, Thailand, Vietnam, and countries throughout the Middle East.

I ask them why is that? Why are you out there?

They tell me I used to work in the oil and gas industry off the gulf coast, and after the imposition of the windfall profits tax in the 1980s which devastated the oil and gas industry, they lost their jobs in the gulf coast area and they ended up going off and working all over the globe.

We have expertise all over the world in the oil and gas industry, and every one of these gentlemen when I talk to them wishes they could come back home and work in the United States, to be close to their families, to work in an area that they are comfortable with rather than being off in foreign countries and having to do all of that travel

that oftentimes takes 2 or 3 days of their time, often at their own expense.

So getting a comprehensive energy policy is about good, high-paying American jobs. It is about keeping jobs in the United States. It is about growing new jobs. It is not just about the oil and gas industry.

What we have been advocating is a comprehensive, all-of-the-above energy approach, an energy approach that looks at oil and gas because we are dependent on oil and gas for most of our transportation needs, much of our electricity, and really for a good part of all of our energy needs. Oil and gas are a critical part, but at the same time we also have to look at good, tried and true methods of conservation. And we have to look at alternative fuels and renewable energy and nuclear power and clean coal technology. All of the ideas that are out there, we should be unleashing individual American genius because that is what has made this country great and has helped to solve problems of the past, and is what will help us pull out of this energy crisis that we are seeing. Families and seniors and small businesses and our schools, our local governments are struggling with the high cost of energy.

I talked to a senior not long ago who told me it was getting difficult for her to afford gas and make the usual runs to the grocery store. And she was paying high food prices on top of that, so she teamed up with folks in her neighborhood and they are still struggling with the cost of gas. This is just unacceptable. In a country that has the brilliance that the American people have and the entrepreneurship, we shouldn't be struggling with this. The sad thing is that the only thing blocking it is good policy, and this Congress has it within itself to move forward on a good, comprehensive energy policy. It distresses me it has been blocked. We have not had an opportunity to bring a comprehensive energy bill to the floor of the House.

This country has had one energy shock after another. There have been about six of them since the end of the Second World War. A number have caused significant price spikes, when you talk about 1973 with the Arab oil embargo, 1979 when the Iranian problem came up, the 1990 gulf crisis, the windfall profits tax thrown on top of the oil industry in the 1980s, and of course recently what we have seen with real high price spikes.

Mr. GINGREY. Dr. BOUSTANY, please address the issue in regard to the refineries and the run up in prices just because of the recent hurricanes, and what a problem it is to have all of those refineries located in one area.

Mr. BOUSTANY. I am glad you brought that up. Clearly, having a whole lot of refineries concentrated on the gulf coast, in Texas or on the coast of Louisiana, we have a very soft underbelly. We have a true vulnerability with key energy infrastructure. Many

refineries, while they were not damaged, they had to be shut down for a period of time. We don't have large inventories of gasoline in this country. We don't have it. So when you shut refineries down, particularly a large number of them, you end up with shortages of gasoline and this country has had to start importing gasoline to a much greater extent than we used to.

Mr. GINGREY. So the refined products?

Mr. BOUSTANY. Diesel as well, and other refined products. So this a significant problem. If we had true destruction of those refineries, which could have easily happened, we are talking about a real vulnerability, real price shocks at the pump, and a long time before we can get this infrastructure back up and running.

The point is with a comprehensive energy policy, we are going to diversify our sources of energy. We need to expand refining capacity and build out in other areas of the country. We need to invest in the alternative fuels that will give us alternatives to gasoline, but it takes time for those investments. Clearly, it is important that we start the process.

In my district, a large oil company has just recently put a significant investment into an alternative fuel company that is going to be making cellulosic ethanol. It is the first cellulosic ethanol facility in the entire country. They are ramping up and there is a lot of excitement about it, and it offers great possibilities, but we have to develop this and we have to develop the infrastructure. That is going to take time. So what we have to do is strategically manage our dependence on fossil fuels right now as we transition to the next energy economy which will involve alternatives and renewables.

Mr. GINGREY. That is exactly right. I think you used the key word, and that is "transition." We are talking about transition. It is just that some people want to transition just a little too quickly.

I wish you would speak a little bit and reference this slide that I am showing right now in regard to the revenue-sharing issue. This goes back to the Energy Security Act of 2006 regarding the gulf coast States and the energy sharing. And I know that you have talked with me and other Members of the conference about what Louisiana does with that revenue sharing and how important it is to the State.

As I close out, I will talk about this "NOTA" energy bill. I like to call it a "nota," none-of-the-above act that we passed this week, and one of the key problems was the lack of any revenue sharing for the States on the east and west coast. If you don't mind addressing that, I appreciate it.

Mr. BOUSTANY. First of all, as we try to transition, we still need oil and gas, and we should be investing in this country and in the United States, looking at our own natural resources. A large part of the oil and gas that is

available is off our Outer Continental Shelf, in the gulf coast area, as we have seen off the coast of Louisiana and Texas, Alabama, Mississippi, but also east coast and west coast. We ought to be taking advantage and using those resources as we transition.

One of the key features that we fought for, I say "we," the Louisiana delegation, for 50 years we fought to get revenue sharing whereby the tax revenue that comes to the Federal Government, some of it is shared with the States.

For instance, in Louisiana now with new production, we have the opportunity to share in 37.5 percent of revenue that will go to the State to help the State do environmental repair along the gulf coast. It will help us invest in infrastructure, and it also provides an opportunity to invest in alternatives fuels. That provision was enacted in the Energy Security Act of 2006, something we fought very hard for and it is a very good bill.

It is critically important that States along the coast have that revenue-sharing option available to them. That is the incentive for them to allow drilling off their coast.

□ 1900

And that helps them build their infrastructure. The Democrat bill earlier this week didn't allow that. And that's one of the reasons why I think this was a sham approach. It was saying, we'll give a little lip service to drilling in the Outer Continental Shelf, but we're going to restrict certain areas of the Outer Continental Shelf, and we're not going to allow revenue sharing, which is something the States all want. And that's the essence of federalism. That's a great way to do it.

Mr. GINGREY. Reclaiming my time for a second, that's what I've depicted on this slide on the bottom, this new bill that we just passed this week. Everyone else, nada, again, zero, nothing, no revenue sharing. So where is the incentive for one of these States, Georgia, we've got 130 miles of shore line on the Atlantic Ocean. California, I mean, there's just not going to be the incentive to do it.

Mr. BOUSTANY. And I would say for folks back home in Louisiana who may be listening to this, our 37.5 percent revenue sharing was also jeopardized by this Democratic bill. So after 50 years of fighting to get revenue sharing for Louisiana in the 8.3 million acres that were opened up in the eastern Gulf of Mexico, we could suddenly lose that if that bill were to go all the way through the Senate and the President signed it. Fortunately, the President says he's going to veto it, but our own Democratic Senator, MARY LANDRIEU, has said this bill is dead on arrival.

Mr. GINGREY. Well, I'll reclaim just for a second. Let me make sure I understand this now. You're saying that currently, under this Energy Security Act of 2006, as I point to this slide, again, GOMESA, that Alabama, Mis-

issippi, Louisiana, you've said you fought hard for it many years, Texas, you get 37 percent revenue sharing, 37.5 percent.

But are you telling me now that in that area in the Gulf of Mexico, when the oil companies go out and build new rigs and purchase new leases, then, according to this no energy bill that was passed this week, you wouldn't get any revenue on those new sites?

Mr. BOUSTANY. It is my understanding that that revenue sharing is at risk.

Mr. GINGREY. Well, that's what I'm thinking too. And I'm not glad to hear you say that, but I think you're right. I think that's absolutely right.

Mr. BOUSTANY. There is no assurance that that revenue would be retained. And that's a very important incentive to get the States to play ball with this. And let's take advantage and use those natural resources that we're so fortunate to have. We're at a time right now where oil reserves are being depleted around the world, and oil infrastructure is really in a state of decay in many of these countries. It's the free market companies, the big companies that are around the world that have the kinds of technology that we need to get in there and do this. But with everything else in decline, we need to be taking advantage of using our own resources while we transition, and increase investment in alternative forms of energy, alternative fuels, whether it's biofuels, because there's a whole host of new generation biofuels that we're on the cusp of working with. We need to invest in that, but it's not going to happen overnight. So that's why it's critically important right now to make strategically good decisions about how we use our resources.

We owe that to the American people. This Congress will be irresponsible. Our Democratic friends will be irresponsible if they don't allow a comprehensive energy reform package to come to the floor of the House.

Mr. GINGREY. Well, I just want to thank my colleague. And of course, we're both physicians, Dr. BOUSTANY, a cardiothoracic surgeon, myself, an OB/GYN doctor for many years before we had the distinct honor of getting elected to the Congress and working in the people's House and representing the folks we represent.

And I, again, CHARLES, I think about this a lot of times, when I started the hour talking about how our leadership, Ms. PELOSI, Speaker PELOSI, Representative, I mean Senator HARRY REID, Majority Leader HARRY REID, former Vice President Al Gore and others were so focused on saving the planet and global warming and climate change. And I understand there's some concerns there, and I'm not oblivious, although all scientists don't agree with that. But, you know, it does really become a matter of priority. And you and I, as physicians understand that people literally without a job, without a home, without a warm set of clothing,

they can starve to death. They can die a lot quicker from that than they can over maybe a 75- to 100-year period time from inhaling a little bit of an environment that's not healthy for their lungs.

So we care about it. We care about childhood asthma. We care about chronic obstructive pulmonary disease and emphysema and lung cancer and all those things.

But it becomes, really, a matter for leadership of the Congress to make these decisions and place priorities on things. We don't want the planet to increase 1½ degrees Fahrenheit over the next 75 years because there may be a scintilla rise in the level of the water and some remote island may get flooded and 50 people lose their lives.

Now, I understand all that science. But right now what I really understand, and I think you do too, is the job loss, the unemployment rate, the economy, these wild gyrations that are occurring in the stock market, the food prices, the oil prices. This is the crisis of the day, the crisis du jour, and I think real leadership should recognize that, don't you, Dr. BOUSTANY?

Mr. BOUSTANY. I fully agree with you. And we in Louisiana know that good energy policy can march hand in hand with environmental policy that's sensible, and it's also good for the economy and it grows jobs. We have seen that. We've seen what happens when bad policy affects an industry like the oil and gas industry and you lose jobs. We've seen that kind of cycle. And there's no reason for that. Those are policy decisions made by those who are truly uninformed.

What the American public has already very clearly stated is that they want a comprehensive energy policy. And we have it within ourselves to do that. This is not rocket science.

Mr. GINGREY. Well, I think, and I want to thank you for your contribution tonight because I think you said the key word when you said transition. And we are going to transition. And I think that, you know, 50, 75, 100 years from now we may not be burning much fossil fuel. But you can't do that overnight. You can't, all of a sudden say we're going to, by 2020 we're not going to burn any fossil fuel. Coal is fossil fuel. Petroleum products, diesel fuel, gasoline. We would have no transportation and we have no electricity. We'd be back using kerosene lanterns and bicycles and skateboards, I guess, to get around in this country.

Well, Dr. BOUSTANY, thank you so much. I had a few more remarks to make as we concluded. I think we have, Mr. Speaker, do we have about 10 minutes left?

The SPEAKER pro tempore. The gentleman has 6 minutes remaining.

Mr. GINGREY. Six minutes. Well, I would rather yield to my friend from Texas than to use any concluding remarks, because I'll tell you, this gentleman from east Texas, again, knows of what he talks about. The Strategic

Petroleum Reserve is located in Congressman BOUSTANY's State of Louisiana and Congressman GOHMERT's State of Texas. So he's been working very hard on this issue. And I want to yield at least 5 minutes to the gentleman from Texas.

Mr. GOHMERT. I thank my dear friend from Georgia for yielding.

This has been a really difficult week. Having spent the weekend with my constituents that were hit by a hurricane in east Texas, and then coming here to Congress and figuring, surely we can put party issues aside because, frankly, when I was in the district, it was around, I don't know, the wee hours, and one sheriff that was helping said, now, you know I'm a Democrat. I said, you know I don't care. It doesn't matter. And then I get back to Washington and that's all it's about. You know, the Democrats have the majority and they were determined to shut out any ideas from the Republicans.

There was a wonderful bipartisan bill, as you pointed out, the Abercrombie/Peterson bill had 38 Democratic cosponsors that understand the importance of energy. Twenty-four of them voted against their own bill when that was made as a substitute.

And it's just incredible how something is being rammed down on the Nation when we can't afford it. People need gasoline. They need diesel. Some of those guys pointed out, they've lost power. There are no hybrid generators, and that's what's keeping about a third of my district going.

Mr. GINGREY. I'll reclaim my time, Representative GOHMERT, just for a second and yield right back to you, because what the gentleman from Texas is talking about, of course, is this, the bill that was passed by the Democratic majority. And I have a little poster up here comparing the Republican bill, the American Energy Act, to the bill that was actually passed. And I just want to quickly run through this before I yield back to my two colleagues.

In the American Energy Act, real offshore exploration, yes. Democratic energy plan, no. Renewables, without tax hikes, our bill, yes. Their bill, no. Real oil shale exploration. I won't get into details of that, but our bill, yes. Their bill, no. Arctic coastal plain, the ANWR. Our bill, go after that petroleum. Their bill, nada. Emission-free nuclear, our bill, yes, their bill, no, no, no, can't have nuclear. Clean coal technology, coal-to-liquid or coal-to-gas. Yes in our bill. No in their bill. New refinery capacity, Dr. BOUSTANY and I talked about that. Our bill, yes. Their bill, no. No energy tax hikes, yes for Republicans, no for Democrats. No electricity price spikes. Yes for Republicans, no for Democrats. Lawsuit reform, yes in the Republican bill. No in the Democratic bill.

So what Representative GOHMERT and Representative BOUSTANY are probably going to talk about now is when we had one, we had no amendments. We had a motion to recommit with in-

structions with a bill. And they've just referred to it, the Abercrombie, Democrat from Hawaii, Peterson, Republican from Pennsylvania that had 39 Democrats cosponsoring the bill. And when we offered that as a substitute, which we felt that each one of them, they had already signed on to the bill, surely they were going to vote for it. And I'd like for my colleagues to tell the rest of us what happened.

Mr. BOUSTANY. I thank the gentleman for yielding. I just want to mention to my friend from Texas that we're with you on this. My State got hit by four hurricanes, two really devastating hurricanes in 2005, Rita and Katrina, and now Gustav and Ike. And folks are suffering back home on top of the suffering that they've had as a result of high prices at the pump. And I have to say, it frustrates the heck out of me to come up here to try to get something done to help folks back home and around the country suffering with these high gas prices, and we can't get it done. We're playing political games up here because of the leadership on the other side. It's very frustrating because folks in Texas, my friend's State, my home State of Louisiana, are really suffering doubly because we have born the burden of providing energy for this country in Louisiana and in Texas. And yet, folks back home are saying, what's wrong with the rest of the country? What's wrong with the Democratic leadership? Why won't they give us an energy policy.

Give us a vote. We've got the bills. We've got the answers. Give us a vote. That's all we're asking. And I yield back to my friend from Texas.

Mr. GINGREY. I yield to the gentleman from Texas.

Mr. GOHMERT. Thank you. I know we're running out of time. But one of the comments that was made about Ike, making it so scary, it was a hurricane that was coming in the middle of the night. And when it comes in the middle of the night, it is scarier. And that's exactly what happened with this Democratic energy bill. It was filed at nearly 10:00, and it was a hurricane disaster for this country.

Mr. GINGREY. And it indeed is scary. And with that, Mr. Speaker, we'll yield back. We don't have any time to yield back. We'll just shut up. Thank you very much, and we'll say good night from this side.

#### IMPROVING OUR HEALTH CARE SYSTEM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes as the designee of the majority leader.

Mr. CONYERS. Mr. Speaker, and Members of the Congress, I am delighted to come here this evening to have listened to two doctors and a judge talking about a subject that is of

great interest to me as well. And the reason that I mentioned their names is that the subject matter that brings me to the well tonight with other colleagues is how we improve the health care system.

□ 1915

And when I hear Judge LOUIE GOHMERT, who serves with distinction on the Judiciary Committee, I always love to try to involve him in what we're doing. And of course we have great respect for Representative GINGREY, the gentleman from Georgia, who is a physician, a medical doctor; Dr. BOUSTANY of Louisiana. All of these are gentlemen whose attention I would like to draw and invite to join us in this and future discussions about the state of health care in the country. I will be making every attempt to communicate with them on it.

We happen to have a doctor here on our side, Dr. DONNA CHRISTENSEN from the Virgin Islands, a medical doctor as well. And so just think of the exciting exchange of views that might have otherwise occurred.

But this is nevertheless an opportunity to take special orders to review, Mr. Speaker, that over 45 million Americans are currently without any form of health insurance whatsoever. More than eight out of ten of these Americans are members of working families, of all things. And then another 50 million Americans are underinsured and face possible financial ruin due to an unexpected medical bill for hospitalization or other emergencies that might occur.

And so for many Americans, the cost of health care, the cost of insurance, the insecurity of employer-based coverage—because many companies are downsizing or moving out of the country entirely—and these factors limit their most important choices in life: staying well and staying healthy, their decisions to work, to raise a family, to return to school, to have children, to retire early or not, to change careers. And the fact of the matter is that health care is the number one subject for nearly everyone in this country.

And so it is truly odd that some of my colleagues seem to believe that health care for all is somehow divorced from what they perceive to be the "American Dream." Indeed, the American Dream is posited on the notion that you would be healthy. Before you would become educated, prosperous, rich, accomplished, you have to have good health. Physical and mental as well.

And so I begin our discussion underscoring the fact that the American Dream assumes that we're in good health and that good health, continued good health is available to all.

One of the Presidents of the United States once stated that Americans already have universal health care because the emergency rooms cannot legally refuse to treat patients. That is the sitting President of the United

States that made that statement, the 43rd President of the United States. And there's only one way that he could have made that statement, and that is that he's never had to use the emergency room for health care or it would be very clear to him that this is the most expensive and immediate and emergency-type circumstance that a person could receive medical care.

I wish he would come with me—if I had one wish, I would probably wish something else other than coming with me to the hospital to an emergency room to find out what it's like and how limited the treatment of necessity is because the hospital is defective or the doctors are not fully prepared—but they're under the stress of all emergencies coming from anywhere in the area to come in.

So that sort of reminds me of the phrase "Let them eat cake."

"Go to the emergency room. What is the problem?"

Well, the problem is that many emergency rooms cannot handle all of the cases for people who don't have insurance. And I am sorry to report that on some occasions, they are not able to entertain the health needs of the people that seek emergency room medical treatment.

And so we, in our office, have been bombarded with the tales, the tragic stories from people who are facing permanent injury, unemployment, death, bankruptcy, foreclosure, even the breakup of families due to the unaffordable health care costs.

So during this discussion this evening, we want to share—I invite that we share with each other the experiences that have been related to us, Mr. Speaker, that have come from the American people because nothing has become clearer in the course of my experience here than before we can discuss policy options to reform our health care system, Congress needs to hear from patients and citizens and constituents who suffer under our current non-system, broken way that we deliver health care in the United States.

And so it is in that spirit that we begin this discussion.

I want to just relate one, and this is entitled "Robin's Story."

"My son was 16 when he was diagnosed with a rare form of liver cancer (undifferentiated sarcoma of the liver). I was married. My husband and I were both working and we had health insurance through my husband's employer," Robin says. "I had recently lost my job as a professor at a business college and was trying to start up my law practice from my home office. When Taylor got sick, we were barely making ends meet.

"The doctors had told us Taylor," 16 years old, "Taylor didn't have cancer but they weren't sure what the mass in his liver was. When they opened him up, they knew it was cancer but it took 5 days to determine the exact type of cancer. They had to close Taylor up

without removing the tumor because it was so intertwined with his major blood system. They would have killed him," they thought, "if they tried to remove it.

"As I sat next to Taylor's bed at about 3 in the morning, we both were awake because we couldn't sleep. My husband and I had words. We were so stressed over the uncertainty of our future. We were facing the possibility of losing our son to cancer and we couldn't even pay our bills, let alone pay for the medical bills we were already facing from the surgery and hospital stay. Then to have to pay the cost of cancer treatment was overwhelming.

"Apparently Taylor had heard parts of our conversation. He lay on the bed, barely able to get up to go to the bathroom, facing an uncertain future. He said, 'Mom, I'm so sorry about the money.'

"I can't begin to explain how inadequate I felt. I couldn't take care of my own son. He should be focusing on recovering from this major surgery and on gathering his strength to fight the biggest battle of his life. Instead he was worrying about how we were going to pay for all of this.

"We had insurance but we had a large deductible and co-pay. The cost of his treatments over the next year was a quarter of a million dollars. Even though we only had to pay a percentage, 20 percent of an astronomical figure is astronomical. Our phone rang constantly with creditors and collection agents wanting to know when we were going to pay our bills. I was unable to work much because Taylor's treatments and the everyday issues of cancer were as much as I could handle. So in addition to extra bills, we had a fraction of our previous income.

"After Taylor's first surgery and chemo treatment, we were preparing to leave the hospital. We were told we would have to administer a shot to Taylor every day to try to keep his blood counts high enough to continue his cancer treatment. It was stressful to consider giving your son a shot every day. That doesn't compare to the moment the first 14 shots were delivered to our hospital room along with a statement for \$6,122! My heart sank to my stomach. I asked the delivery person if I had to pay them right then. He said they would bill us. Thank God. I can only imagine having to decide whether we would pay our mortgage payment and electricity, or give our son a shot that might save his life.

"We eventually got to the point we couldn't pay our mortgage. Our electricity was turned off many times. Each time, I had to pay the amount due plus an extra \$100 cut-off fee. If I couldn't afford the original bill, how would I afford the additional \$100? Friends and family raised money to help us. It didn't even begin to touch the amounts we owed. And as he turned the corner towards survival, everyone believed that the crisis was passed and stopped helping us.

"We are so blessed because our son survived cancer. It is truly a miracle. But our family didn't survive. After 23 years, my marriage dissolved. The financial pressures were more than the marriage could stand. I still have all of the medical debts and other debts on top of that. I try to just get through each day. I know that I am one of the lucky ones. Although I didn't survive cancer, my son did. I know many families who lost their child and then are also financially devastated. . . . probably even more so than I because they had years of medical treatment that failed to save their child.

"We tried to keep our insurance coverage. But we had to go on COBRA coverage, which was over \$1,000 per month in addition to the medical bills. So both Taylor and I and Taylor's father have no insurance. After treatment, Taylor went in for a checkup every 3 months. Each checkup costs \$6,000. We are now on six month checkups and hope to go to one a year next year.

"However, all of the other medical issues will just have to be placed on hold. Because I don't have health insurance, I don't take care of medical issues I used to address as they arose. Last summer I fell. I may have broken my wrist or at least tore ligaments. I didn't go to the doctor but just let it heal on its own. My wrist will always be a problem because it didn't heal right. Taylor's beautiful teeth that we worked so hard to straighten with braces will just have to be dealt with later.

□ 1930

"I just pray Taylor or I don't have a major medical problem. I live in fear for both of us because I know what treatment can cost.

"What I learned through our ordeal is that the individual is expected to pay for an inflated 'retail' price for health care but the insurance companies, the ones who have the financial ability to pay, have made deals with the providers to pay a fraction of the 'retail' price. As an 'insured,' we received an explanation of benefits showing that the insurance company was given a 'discount' and they usually only paid one-third of the amount paid by an individual with no insurance. That is so wrong. That means that the individual is paying the price for the insurance companies' 'discounts.'

"This insanity must stop. We need to tell our story. The insurance companies and providers are making money on the backs of individuals already in crisis, facing life threatening illness and financial struggles because their income is reduced. I knew that survival is related to attitude. I assure you we are losing lives because it is hard to have a positive attitude through financial crisis on top of medical crisis. I want to help tell the story."

A similar wind is now blowing in the 21st century. I believe the people, not special interests, should decide what type of health care system exists in this country. I believe this

wind of change will usher in a new day; a day when hope for the just treatment of all of our brothers and sisters will be reborn.

A truly open and democratic process is needed as we pursue this endeavor to ensure equal, just, and comprehensive care for all. To this end, I implore the inclusion of the American people in this discussion, so that the singular, resounding voice of those who believe in change, who believe in moral responsibility, can reverberate across the nation loudly enough so as to drown out those who would profit from continued injustice.

The struggle for health care for all is the civil rights struggle of the 21st century. Let there be no doubt: the powers aligned against us are powerful and vast; the coming struggle will be long and hard. But, we have been down this road before, and we have succeeded. We shall succeed once again, because as Fannie Lou Hammer once said, we are sick and tired of being sick and tired.

#### KATHRYN'S STORY

My sister was 46 when she saved enough money and was able to go to her doctor for a physical. Her doctor discovered an orange sized mass in her uterus. He recommended that she have an ultrasound. She said she would when she had saved more money. This was August 2005. She continued to work two part time jobs, one at a hospital as a housekeeper in the operating room on the OB/GYN floor. The other job was working for the State of Michigan as a maintenance worker cleaning restrooms. She worked hard and was a loyal employee. Unfortunately, both jobs were part time, so no benefits were offered. She also didn't qualify for aid from the county or State because she worked too much! By September 2006, she was dead. The mass was cancerous, spread to her ovaries, and finally to her lungs. She died three months after diagnosis. Medicaid was approved after her death.

#### CONCLUSION

My friends, the vital issue of the health care crisis in this country is rising to the surface; the plight of the uninsured and the underinsured can no longer be ignored. As the election season continues to progress, and as we draw nearer to a new administration, the time is now for Members of the House to call for serious, comprehensive health care reform.

Martin Luther King, Jr. once said, "Of all the forms of inequality, injustice in health care is the most shocking and inhumane." I am privileged to have known Martin Luther King, Jr. and to have worked closely with him on civil rights issues. Madam Speaker, health care is a civil right.

It is the spirit of the civil rights crusaders of the past from which we should draw inspiration and strength. Abolitionists did not settle for piece-meal appeasements or token change. Rather, a dynamic and sweeping wind reshaped the Nation for the better, capitalizing on a nagging conscience that Americans, both black and white, knew was the moral and just thing to do.

I'd like now to turn to the gentlelady from the Virgin Islands, Dr. DONNA CHRISTENSEN, who not only serves on two very important committees in the House of Representatives, but in addition, she chairs the Congressional Black Caucus Health Caucus, and I've had the honor of working with her across the years, and I would yield to her.

Mrs. CHRISTENSEN. Thank you, Congressman CONYERS.

Mr. Speaker, I rise with Chairman CONYERS and my esteemed colleagues to stress the need for comprehensive health care reform that not only tackles the core issues but substantively transforms the foundation upon which this Nation's health care crisis is existing. And the story that Congressman CONYERS told about Taylor could be repeated over and over again across this country.

The pursuit of and desire to have good health and access to reliable, high quality health care cuts across geography and gender; across race and ethnicity and political affiliation. These wants and needs are basic to all human beings. And because they are basic human needs, the time has come for health care to be affirmed as a basic human right.

As an American and as a physician, I am embarrassed that, today, the United States is the only industrialized Nation that does not guarantee access to health care as a right of citizenship. So I think that we have much to learn from the industrialized nations who, through either single payer universal health care systems or a multipayer universal health care system, have put the health and wellness of their residents at the top of their agendas and, as a result, are healthier than we are today.

For example, compared to the rest of the world, the United States ranks 41st in maternal mortality rates, which means that 40 other nations, most of which have fewer resources than we do, have lower mortality rates than us.

Additionally, we are ranked 42nd in infant mortality, which means that 41 nations, including Cuba, the United Kingdom, Anguilla, Japan and Singapore, have a lower infant mortality rate than we do.

The underlying reason for these shameful numbers is this country's failure to address health disparities and to put into place effective, comprehensive and culturally appropriate programs to eliminate them. Not only do people of color make up most of the 45 million uninsured and the additional 50 million underinsured, but because of this as well as because of discrimination and the lack of culturally and linguistically appropriate care, they also are the majority of those who die prematurely from preventable causes in this wealthy and technologically advanced country.

It's very important to note that the millions of Americans who comprise our Nation's un- and underinsured population are not people who are lazy. They're not people who are looking for a handout. They are hardworking, honest Americans. The overwhelming majority of the uninsured are members of working families who do not have access to employer-sponsored health coverage. In fact, more than 8 out of 10 uninsured Americans make too much money to qualify for Medicaid but not

nearly enough to purchase health care insurance on their own.

The provision of health care to Americans living in the territories paints an even worse picture. And that's my individual story this evening, the story of 4.5 million people living in offshore areas.

Those of us who live in the offshore areas of the United States have an additional burden when it comes to accessing health care services. For Guam, American Samoa, the Commonwealth of the Northern Marianas, Puerto Rico, and the U.S. Virgin Islands, Medicaid and the Children's Health Insurance Program is capped, and it is capped far below what is needed to provide the most basic of services to those who are at or below the poverty level.

So, even in those families at 100 percent of poverty, they can't qualify. There's not enough money in our programs. Many who need long-term care cannot get it because our Medicaid program cannot afford it. Other programs that are taken for granted in the States are not available to us because the funds are just not there to cover them. And in fact, the level of funding per Medicaid patient, even at the low numbers that are enrolled, is one-tenth of that spent on Medicaid beneficiaries in the States. Many of those States are richer than we are and have lower health care costs, and yet they get 10 times more funding per Medicaid beneficiary.

Both on the mainland as well as in the offshore areas, our Nation's un- and underinsured Americans are paying the ultimate price for the absence of universal health care. They pay more out-of-pocket health costs, as we heard, and worse, they pay for it with poorer health and even with premature disability and death.

And everyone, including those who have insurance, pay for it in rising premiums, higher deductibles and co-pays, and reduced quality of health care services for everyone.

The grim statistics and analyses prove one thing: We need to expand access to health care and completely eliminate un- and underinsurance in this country. The only way to accomplish this is through universal health care.

Access, however, is but one issue that we need to address within a comprehensive health care reform package. There is another issue that must be addressed because it, too, has to be an integral component of our health care reform discussions and efforts. And that issue is health disparities.

The direct and indirect impacts of health disparities are well-known, and we know that they cut across every aspect of life. Additionally, we know that these disparities leave millions of African Americans, Native Americans and other people of color, women and rural Americans also, in a particularly precarious position as it relates to their health and health care. Not only are those most affected by health disparities disproportionately more likely to

be un- and underinsured, as I mentioned, but they also are disproportionately less likely, far less likely to receive the high quality of health care services and treatments available for everyone else.

For example, the rates of hospital admissions for uncontrolled diabetes, which is an indicator of the quality of care received, for Hispanics and African Americans were more than three and five times, respectively, higher than the rate for Whites.

The same scenario holds true for hospital admissions for asthma. African American children and adults have hospitalization rates for asthma that are five and four times, respectively again, higher than Whites.

African American diabetics and Native American diabetics are three times more likely than White diabetics to have lower limb amputations.

The differences in health care quality are not just evident in the hospitalization rates, but also in the disparate rates of utilization of services and treatments. African Americans are disproportionately less likely than whites to be referred to undergo cardiac catheterization or to receive more aggressive treatments for lung cancer or colorectal cancers, although they are known major causes of death in the African American community.

In fact, studies confirm that across several dozen health care quality measures, African Americans receive a poorer quality of care than whites almost half, 43 percent, of the time for African Americans; for Hispanics, they receive a lower quality of care more than half of the time, 53 percent of the time; and for American Indians and Alaska Natives, they receive a lower quality of care more than one-third of the time, 38 percent.

These differences in quality, like the differences in access, have a profound and detrimental impact on their health, wellness and ability to achieve their full lives' potentials. Additionally, these racial and ethnic differences in quality persist, even when insurance status, educational level, socioeconomic status, and disease severity are taken into consideration.

Mr. Speaker, the time for comprehensive health care is upon us, and the time to ensure that our efforts not only surmount access barriers but also achieve health equity is now.

As we as a Nation engage in increased discussions about health care reform, propose solutions to our under- and uninsured plight and mounting health care costs, and finally move the idea of universal health care from concept to reality, we must address the health disparities and the root causes of health inequities, the social determinants of health, in order to be successful.

The Nation's public health and health policy experts agree that a health care reform effort that fails to incorporate and integrate health disparity elimination as a core bench-

mark and objective is an effort that is flawed.

So I urge my colleagues on both sides of the aisle and all of our friends off the Hill to work together to ensure that as we work towards a health care system where everyone is in and no one is out and to reform the system, that we do so in a manner that positively transforms the lives of the millions of Americans for whom quality health care has been denied and deferred for far too long.

I thank Chairman CONYERS for holding this Special Order this evening on this very important issue.

Mr. CONYERS. Thank you, Dr. CHRISTENSEN. "Everybody in, nobody out." I know a doctor in Chicago that uses that term very frequently.

Mrs. CHRISTENSEN. I picked that up from the American Student Medical Association. I believe that was their slogan.

Mr. CONYERS. I'm pleased now to yield to the distinguished gentleman from Illinois (Mr. DAVIS), who I had the great privilege to be in the White House when his Second Chance bill was signed into law after many years of working in this body and the other body to see that it came to fruition. It derived from his long experience as a civil rights activist, as a commissioner, a county commissioner in Chicago, and as a community health worker in community clinics for a considerable period of time. I'm so proud that he's an original cosponsor of H.R. 676, and I yield to him.

Mr. DAVIS of Illinois. Thank you very much, Chairman CONYERS, and you know, as you and Representative CHRISTENSEN were talking about, everybody in and nobody out, of course you were talking about Dr. Quinton Young, who kind of coined the slogan, who started the Student Medical Association. So I can understand how DONNA would have picked it up.

Mr. CONYERS. And Physicians for a National Health Plan, PNHP.

Mr. DAVIS of Illinois. Unequivocally and without a doubt. So it has been an absolute pleasure to know and work with Dr. Young for a number of years. Those of us who considered ourselves to be health activists always wondered how Quinton practiced medicine, I mean, because he was so engaged and so involved, and yet he was engaged in the private practice of medicine part of the time. And of course, he was the medical director also at Cook County Hospital and a leader in the American Medical Association; although, he was considered a renegade.

□ 1945

Mr. CONYERS. We're expecting his presence at the 38th Congressional Black Caucus event next week in which we will be having a forum on universal single-payer health care.

Mr. DAVIS of Illinois. Well, I should look forward to seeing him.

But I also want to commend you for your tremendous leadership. As a mat-

ter of fact, you have been a hero of mine on these issues long before I came to Congress, and even before I had the opportunity to really know who you were.

As a matter of fact, when I think of you, I often think of one of my favorite Biblical Scriptures that says, "They that wait on the Lord shall renew their strength; they will mount up like the wings on an eagle; they will run and not get tired; and they will walk and not faint." And you have been running on these tracks for a long time. And still, while most Members have gone home, have gotten their flights and have made their way back—or trying to make their way back—here you are on the floor, late in the evening, leading a discussion on the need for national health insurance, or universal health care, and I can't help but commend that.

Mr. CONYERS. Thank you.

Mr. DAVIS of Illinois. You know, as I think about the issue of health and all the problems that we face individually and collectively, I think of how unfortunate it is when individuals are illiterate because it cuts them off from the ability to communicate with the rest of the world; and how unfortunate it is when people live in substandard housing because they don't have the sanctuary or they don't have the feeling of knowing that at the end of the day they can come in out of the rain or out of the cold or come in from a society that may not be as comforting as they would like for it to be.

It's so terrible when children don't have access to good schools and decent education and can't be in a position to compete effectively with other members of society. And then to be unemployed, not have a job to go to, not be able to sustain oneself, not be able to know that you have the resources that you need. But then to be sick on top of all that means that your life is relegated, for all practical purposes, to a level of despair and uncertainty for which you can find or see no way out. The child who is sick at school and can't see a physician or go to a clinic.

There is no point to the teacher talking about, "Johnny, study hard," because Johnny doesn't feel like studying. I mean, Johnny's stomach is hurting, or Johnny can't see the board. And so telling Johnny to study hard doesn't mean a great deal to Johnny. Or the guy who wakes up in the morning and turns on the radio and the blues singer is saying, "get a job." "Every morning about this time you bring my breakfast to the bed crying. Get a job." Well, that person doesn't feel like going out looking for a job because they're sick. They don't feel like it; they're despondent, they're in despair. And so they're not going to get a job. They're not even going to go out and look for a job because they don't feel like going to work.

And so health care, as far as I'm concerned, and for my money, is the most important aspect of life, because without a sense of well-being, one cannot



challenge or confront the rest of societal needs.

Our health is the foundation of everything that you can think of. I often believe that my mother died prematurely because she had to travel 100 miles to go to the hospital for her dialysis treatment because that was the closest hospital to where she lived where she could get the treatment. And so not having access to health care has limited, in so many different ways, the ability for people to just have hopes of the American Dream, to just believe that they can experience it.

Yeah, there are those who take the position that we could never have universal health care; I mean, they say, "never, ever." But, you know, I remember when people said that you could never put poor people into managed care. I remember when people said that HMOs would not survive, that they would never, ever make it. I remember when people said that you really couldn't have the proliferation of clinics. I worked in a community health center, and I remember when those were getting started. They were part of the "Great Society" programs, part of the legislation that came out of the marches and demonstrations led by Dr. Martin Luther King that came after John Kennedy had been elected President, assassinated, and then Lyndon Baines Johnson became President. And Democrats—I mean, they were Democrats—embarked upon a new program, something called the "Great Society" programs, just as years before a fellow named Franklin Delano Roosevelt kind of led the Nation towards social reform that brought us Social Security and some other protections that we didn't have.

Well, I think that right now is the best possible time for us to take another giant step, a quantum leap, if you will, and make sure that no single individual in our country, no matter who they are, where they come from, how wealthy they are, how poor they are, how without resources they are, no single individual should have to live in the United States of America without adequate protection for health care.

I mean, we are the wealthiest Nation on the face of the Earth. We are the most technologically advanced Nation. Yes, we are hurting in some ways. And of course we are hurting because we have not seen the distribution of the resources be as adequate as we need to see them. We have not seen as many people with access to the goodness and the greatness of this country. But when 41 percent of working age adults have a problem paying their medical bills or have a medical debt that they will never be able to pay, then something is wrong.

And we have not seen what we are capable of seeing. I was just thinking of some of the things that people have been telling us about their experiences. And I guess if you live in an environment that I live in and where I live, you individually know these people.

It's not a matter of reading it in the newspaper or reading it in the magazine, you know the individuals personally who are having these kind of problems. For example, Jerome. Jerome said to us, "My wife was diagnosed with melanoma in September and died in November. I believe preventive health care and better diagnosis might have prolonged her life or provided a cure. She saw two dermatologists last year, and both failed to diagnose her condition. She went on to have moles and a cyst evaluated and removed. In addition to the failure to diagnose, the cost of insurance and deductibles exceeded \$40,000. Prior hospital visits in the past 5 years for a stroke resulted in medical bills of approximately \$100,000, which brought us to the verge of bankruptcy."

"Fortuitously, I received an inheritance last year which enabled me to pay the current bills. However, since being downsized 5 years ago at age 56, I have been unable to obtain employment. And my wife was unable to work due to the stroke and subsequent illnesses. I am a relatively well-educated man and I'm willing to work; however, I do not feel our current economic system values my experience and education. I am a certified financial planner. I have worked over 30 years with approximately \$150,000 accumulated in retirement savings, all of which has been used for medical expenses. Without my inheritance, I would have my home, worth about \$250,000, as my only asset."

Julia writes, "I've been fighting ovarian cancer for 19 years. I developed a secondary blood cancer last year and had to have a bone marrow transplant in January of 2007. Medicine is outrageously expensive. Luckily, I have mail order service that only costs \$5 a prescription; otherwise, my medication would cost over \$1,000 a month."

"Our insurance premiums cost \$965 a month. My COBRA, just for me, is \$565 a month. My husband and two children, which my husband pays for, \$400 a month. My deductible is low, \$250, but my family's is over \$1,000. I am dreading if I am unable to work before COBRA runs out. I don't know what I will do for insurance as I am a teacher and don't know if I can get Medicare. I can't go on my husband's insurance as he works for a small company. They will get dropped by the insurance company if I am added. This has happened twice before."

"The medical system is broken. People shouldn't have to choose between health care and bankruptcy, which is the case for many who go through bone marrow transplants."

Well, Congressman CONYERS, as long as there are people like these in America, as long as there are individuals for whom the American Dream continues to be a tremendous nightmare, as long as there are people who have, in many instances, lost hope and given up, as long as there are individuals who can't see their way out no matter how much

they struggle, how long, how hard and how difficult the challenges, and as long as there are people like you, who are willing to fight for every American, as long as there are people like you, I am going to be willing to join you.

And so I'm pleased that I was able to be here this evening to share with you and with Americans all over the country that health care should, in fact, be a right and not a privilege, that we must have a system where everybody is in and nobody is out.

I thank you. And I yield back the balance of my time.

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Mr. CONYERS. I thank the gentleman for his kind references.

I ask unanimous consent to include any other materials in the body of our discourse today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I return the balance of our time.

#### DISASTER TORNADOES AND FLOODING IN IOWA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. BRALEY) is recognized for 60 minutes.

Mr. BRALEY of Iowa. Mr. Speaker, I rise tonight to address a major tragedy that occurred earlier this year.

In May and June, Iowans suffered unprecedented tornadoes and flooding, which has directly impacted the lives of hundreds of thousands of Iowans. The magnitude of this disaster places it in the top dozen or so all-time natural disasters, and the amount of damage in this State is unparalleled.

Along with my staff and other members of the Iowa delegation, I've worked tirelessly to provide assistance in every way possible to impacted Iowans, from helping to remove debris in Parkersburg, to filling sandbags in Waterloo, to working to pass a \$2.65 billion supplemental disaster relief bill, to holding this administration accountable for its promises, to bringing Speaker PELOSI to the First District last week.

I want to thank the Speaker for visiting Iowa's First District, and I appreciate her strong words of support as we struggle to recover from these disasters.

While I'm proud of the efforts so far to pass the initial \$2.65 billion in disaster relief, there is still much work to be done. Most notably, the Bush administration needs to release these congressionally passed funds as quickly as possible, and administration bureaucrats must stop dragging their feet while Iowans wait for needed assistance.

Secondly, this Congress must pass another round of disaster relief as the first round of \$2.65 billion will fall far

short of meeting the needs of the Midwest following these multiple tragedies.

On June 13, while I was at the Cedar Rapids Airport during the peak flooding, White House Budget Director Jim Nussle told me that FEMA had nearly \$5 billion for Federal disaster programs that would be available to meet the needs of Iowans. Since that meeting, Congress has passed another \$897 million more in FEMA funding. Yet FEMA has only recently passed the \$500 million in assistance to Iowa while at the same time denying many claims in Iowa for assistance.

It's time for our President to move Iowa's money out of the hands of bureaucrats and into the hands of needy Iowans. This is not the only piece of the \$2.65 billion package that sits on the desks of Federal bureaucrats. There is \$52 million in economic development administration funding of which Iowa is eligible that the administration is holding onto for another 2 months.

In addition, I've been urging HUD to release \$300 million in Community Development Block Grants for months now, and that money still sits in the hands of administration bureaucrats.

In addition, I have personally invited President Bush to come to the First District, which, so far, he has refused to do. However, the President's physical absence from the First District is not his only neglect of the needs of Iowa citizens. We have yet to receive a budget request from the President to Congress outlining what he believes the funding legislation to meet these disaster needs in Iowa and in other Midwestern States should look like.

I have made my funding priorities clear. My Iowa and Midwestern colleagues have done the same. Where is the President's request? Actually, I can tell you the President's current budget request for Iowa disaster relief. Zero dollars. While I feel the administration has acted poorly in responding to Iowa disasters, I also do not let Congress off the hook.

The initial \$2.65 billion package, while welcomed, is clearly not enough to meet the needs of Iowa residents and business owners. That's why I am committed to ensuring that Congress passes additional disaster relief for Iowa as soon as possible. I look forward to Congress passing additional disaster relief and to seeing this money reach Iowans in need. Only then can we achieve the victory of recovery.

I would like to thank Speaker NANCY PELOSI for spending last Monday in Iowa in the First District, in the Second District and in the Third District, witnessing firsthand the devastation that has occurred, meeting and talking to Iowans in need, and hearing their stories. I'm going to be sharing tonight some of those stories from residents and business owners in the First District of Iowa, showing the American public exactly what has been going on and why this need is so great and why it needs to be met.

There is no better time to have this discussion than in the wake of what has been going on down in the Gulf Coast, in the aftermaths of Hurricane Gustav and Hurricane Ike, where the needs are also great.

I hope that my colleagues in the House and that people around the country who appreciate the needs of responding to emergency disasters like this will start to gain a deeper appreciation of why this funding is so necessary and why it's so urgent and will wake up Congress and the American people to the fact that more aid is needed to meet the needs of people in distress.

Iowa's needs are vast: from helping displaced residents find quality temporary and permanent housing, to repairing critical infrastructure—we'll see some examples of that—to things like roads, bridges and railroads, to helping small businesses, farmers and local economies get back on track, to rebuilding clinics, libraries and schools like the Aplington-Parkersburg High School and the Waverly-Shell Rock schools, to fixing wastewater treatment facilities in towns like Elkader, Evansdale, Anamosa, and Clermont, to helping towns like Buffalo, Davenport and Waterloo make sewer improvements and prepare for future flooding events.

Along with the other members of the Iowa delegation, I pledge to continue fighting to help Iowa recover until every home is rebuilt, until every school is reopened and until every small business has its shelves stocked.

To give you some idea of what type of double disaster we've been dealing with in the State of Iowa, I want to start by showing this wall cloud that contains an EF-5 tornado, the most powerful tornado that's classified under the system.

This tornado started on the west edge of Parkersburg, Iowa on May 25, the day before Memorial Day, a day that I will never forget because it happened to be the day of my son's high school graduation-open house. When that day started, our biggest concern was what we were going to do if it rained that day. As everybody was leaving our home and as they were heading back to their own homes and as we were getting everything picked up and put away, the news on television caught my attention as that day this disaster started to unfold in the fields of Butler County in the northwest corner of the First District of Iowa.

As this tornado gained momentum and started to enter the town of Parkersburg, it cut a path of devastation from Parkersburg to New Hartford to the town of Dunkerton and on to Hazleton before it went off and split into two separate tornadoes. The devastation in the wake of this tornado was almost impossible to comprehend if you didn't see it with your own eyes.

This overhead shot shows the south half of Parkersburg that was literally obliterated and wiped off the face of

the Earth. You can see the high school track and the high school next to it, which was completely destroyed.

The people in Parkersburg are very proud of the fact that, along with their sister community of Aplington, their high school football team at Aplington-Parkersburg has four players who are starters in the National Football League from a town of less than 2,000 people. They're very proud of their community, and that pride was evident this year when they held their very first football game on this field with no high school while the students had been temporarily relocated to Aplington, to the middle school. This game and the significance of that game to this community was so great that the game with West Marshall and Aplington-Parkersburg was covered by ESPN, CBS, ABC, and it was the subject of intense national sports coverage.

You can see that the entire business corridor along the highway south of Parkersburg was wiped out. One of my neighbors, Dan Summerhayes, was on his way through Parkersburg on that highway while on his way to another graduation-open house in the town of Ackley, which is west of Parkersburg. As he saw this tornado approaching, he turned his pickup around and drove back to Parkersburg, to the Pizza Ranch which is out on the southwest corner of Parkersburg.

He parked his truck, and ran into the Pizza Ranch as other people were starting to seek shelter in the men's bathroom. As he pulled the door shut, he saw his pickup fly by outside in the tornado, and 13 people huddled inside that bathroom as another vehicle landed on the roof of the Pizza Ranch, and the whole structure collapsed on top of them. Miraculously, all 13 crawled through the rubble, and their lives were saved, but other residents in Parkersburg were not that fortunate.

Six people died in this tornado, and two more died near New Hartford. There were many other stories of heroic acts that took place and of people whose lives were saved. At one of the homes of the people we visited the day after the tornado, the person was standing right on top of the foundation of what was left of his home.

The owner of this house turned to me and to the Governor and to Senator GRASSLEY and to Senator HARKIN and said, "I don't want to ever hear anybody complain about those warnings on TV, because they saved my life."

There was a bank that was completely obliterated along this same highway, and all that was left after the tornado was the vault where the bank had its valuables stored, and everything else was destroyed.

This shows you the extent of the devastation of so many of the homes near Parkersburg. The power of this tornado was so severe and the carriage of objects went so far that objects that were originally from homes in and around Parkersburg showed up in Prairie du

Chien, Wisconsin, which is over 100 miles to the east of where Parkersburg is located.

Many people came from all over the State and from all over the country to help out the citizens of Parkersburg. I took my chain saw up to help cut down some of the trees that had been destroyed in and around the homes.

This photograph shows you the extent of the devastation all throughout the community. This was a couple who had lost everything that they owned. As we picked up the debris in their basement, I kept holding up items and saying, "Do you want to save this?" They would look at me and say, "This isn't ours." That was going on all over the city of Parkersburg.

In addition, the town of Lamont escaped the damage from the tornado, but it had 8 inches of rain in a short period of time on the front edge of these storms. You can see the terrible damage that occurred to bridges and to roads and to streets and to other public improvements in the town of Lamont, which also got 4 inches of rain that same week for a total of 12 inches, which had an enormous impact on the homes and businesses in the town of Lamont.

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And if things weren't bad enough from the tornado, less than 10 days later Iowa had the historic flooding that was greater than any other in modern history. In between the Mississippi and the Missouri Rivers, which frame the east and west coasts of Iowa, are nine inland rivers, all of which were out of their banks at record levels during this peak flooding.

The town of New Hartford, which was hit by the tornado, was completely submerged in the wake of this flooding event. This photograph shows you some of the businesses downtown.

One of the tragedies of a disaster like this is the businesses that make a community a community, like the hardware store, the convenience store, have left the City of New Hartford and aren't planning to return, and those losses have an enormous impact on the quality of life in those communities and are one of the principal reasons why it is so important to get Federal disaster money released into these communities as soon as possible, to give them a chance to retain businesses and rebuild before they lose their population base and lose their tax base.

One of the most beautiful communities in my district is Elkader, along the Turkey River in Clayton County, and this photograph illustrates the enormous damage from the flood that occurred in June in Elkader.

One of the things you can see is the downtown area, the beautiful Catholic Church, the grain elevator. Elkader was devastated because the only grocery store that serves this town was completely wiped out in the flooding. One of the banks down here in the business community had water up over the

top of the counters. And when you have your critical businesses lost in a community like this, there is no place else for residents to go to meet their basic needs. In addition, there was major damage to athletic facilities and high school facilities that provide all of the quality-of-life services to that community that will take years to recover.

The town of Waverly, which is north of Waterloo, where I live, also had record flooding along the Cedar River. You can see the devastation to the downtown, to the businesses that are still struggling to come back. Many residents were displaced from their homes. One of the grade schools still isn't open yet because of the widespread flooding damage. And this is just one example of many, many communities in the First District of Iowa that had similar flooding events of historic proportion.

This photograph in downtown Waverly is a good example of the impact on infrastructure that these flooding events had had. Here you see a collapsed asphalt road surface. The sidewalk is completely collapsed. There are damages to the businesses that will take many, many months, if not years, to restore.

Downstream on the Cedar River is the City of Cedar Falls, which is home to the University of Northern Iowa. This is a utility plant, Cedar Falls Utility, that provides most of the power to the City of Cedar Falls and has sustained millions of dollars of damages to its power plant, which serves the basic needs of the community and will take months and months to bounce back.

We were talking about infrastructure needs. This is a railroad bridge in downtown Waterloo. I spent one night back in Waterloo sandbagging in the downtown area to shore up levees that had been built in the mid-sixties during another record flood event.

Waterloo is fortunate in that much of the downtown was protected from massive flooding because the levees held, but because of the immense pressure on the storm sewer system, there was back flooding in the downtown area that caused major devastation to businesses downtown, including the Dan Gable International Wrestling Museum in downtown Waterloo, the Happy Chef next to Young Arena where the hockey teams play, and many, many other downtown businesses. These type of infrastructure needs are critical to the local economy.

One of the major employers in my district is Deere and Company, which has a number of factories in Waterloo and Cedar Falls and an industrial equipment factory in Dubuque and another operation in Davenport and its world headquarters in Moline on the opposite side of the Mississippi River from downtown Davenport.

Many of the products manufactured at the Waterloo tractor facility are shipped out across this rail line, so there are enormous added shipping ex-

penses, not just to John Deere, but to many, many other businesses and farmers who utilize this railroad to ship their commerce across this country and around the world. That is why the needs are so great.

I want to share now some of the testimonials from citizens and constituents of mine who are going to put a human face on the extent of the devastation that I am talking about and hopefully give greater importance to the cause of coming to the floor next week and bringing a disaster bill that will address these acute needs.

This is from Lorrie Martin in New Hartford, Iowa, which had the double whammy of both the largest tornado to hit the country this year and record flooding.

"We are the face of disaster. On May 25th, our home in new Hartford, Iowa, was damaged by an EF-5 tornado. I was in the Mayo Clinic in Rochester with my son, Zak, who is 21 and had just been diagnosed with cancer. We returned home on June 7th, and on the morning of June 8th the flood destroyed our home and all of our possessions. We walked out with a purse and cell phone for me and a hat and book for Zak.

"For three months we have been staying in a gutted-out two room house in Dike, Iowa, sleeping on mattresses on the floor, with no kitchen or bath facilities. 4,200 hundred families raced to grab a few cheap rentals, while over 300 FEMA officials lived high on the hog in all available hotel rooms. There are two families living in an abandoned hardware store in Dike.

"We thought our government would be our salvation, but in fact it has almost been the death of us. I have now been diagnosed with an autoimmune disease with precursors for cancer from stress.

"FEMA has been a roadblock, making empty promises, placing us in harm's way and causing us to lose hope. They lost my paperwork twice and I had to fax my documents to them repeatedly. I called over and over again, and they finally admitted their scanning system was 2 weeks backlogged.

"This is outrageous, and the system needs to be overhauled. We are suffering crushing depression, extreme anxiety and we can't sleep. If anyone tells you they don't contemplate suicide after a disaster like this, they are lying.

"We have lost our dignity and have begged at charities, churches and the Red Cross. The Red Cross spent tens of thousands of dollars flying in representatives from other States. This money should have come to disaster victims directly. Everyone we talked to has gotten amounts from \$80 to \$800, with no logic to the amount.

"There needs to be a central location for all the aid that stays in place until the last person is helped. Truckloads of supplies have come in earmarked for

New Hartford, but were rerouted. Federal, State, county and city government officials should sleep in the trenches with us until resolution. They can use their Blackberries and laptops to correspond with their offices and families.

"I am but one person, living a life no longer worth living. I am bitter toward my elected officials. I hope they enjoyed their vacation while we fought to survive. I do not have faith that there will be change, but I have hope that you will listen."

This is from the Mayor of Green, Iowa, another community that lost its grocery store, its post office, and many of its key downtown businesses in record flooding.

"The June 2008 flooding has had a huge impact on our small community. Luckily, we are in Butler County, the same county that had the devastating tornado that hit Parkersburg only 2 weeks earlier. This meant we could get immediate help from FEMA, as a disaster declaration was already in place.

"That being said, one of our biggest problems that we will have is a huge impact in our community that FEMA will deduct from our claims anything that should have carried flood insurance. We did not realize that we were required to carry flood insurance on our properties. We have never filed a FEMA claim on any buildings before. We have employees that have worked here for 30 years, and no one was aware of this requirement. Needless to say, this will greatly decrease any claims we have, making it almost impossible for some of the repairs that are necessary.

"We had equipment at a waste water lift station that was destroyed. If the equipment had been outside, it would have been uninsurable, making it eligible for a FEMA claim. But since we chose to put the equipment in a building, thinking we were making a reasonable choice, it was considered uninsurable and we are losing thousands of dollars on this claim just because we tried to take care of this equipment in the first place. We have never had a flood of this magnitude, and many situations are different than ever before.

"Another big concern of ours is the availability of help for our local small business owners. Some of our business owners lost their homes and their businesses. We are a small community that is very independent, yet very dependent on our local businesses. We are still without our one and only grocery store, our Post Office, which fortunately just reopened this week, and a convenience store. The added expense to residents to get their mail and groceries out of town is a hardship to many senior citizens and families.

"Some of our businesses just moved back into their original locations, but just as many are still operating out of other locations. How are these people supposed to recoup from such devastation without some sort of help from somewhere? If these were corporations,

there would be funds available, tax breaks or some sort of assistance. More than likely, farmers would receive some sort of disaster payments. But our small businesses are ineligible for anything other than a loan. Most of these businesses are, for the most part, surviving day-to-day the way it is, without the added burdens of flood expenses and no relief of any kind from anywhere.

"On a personal note, being one of the first communities that experienced flooding in our State, we really felt like we were ignored by some of our local officials. We hadn't been through anything quite so serious, and we appreciate the help that we received."

This is a letter from Tom Poe, who is the president of Crystal Distribution Services in Waterloo, Iowa, which had facilities in the old Rath Packing Company located right along the banks of the Cedar River in downtown Waterloo near the railroad bridge that collapsed that I showed you earlier.

"During the week of June 9th, 2008, I, along with all 55 of my employees, watched anxiously as the Cedar River level rose due to the extremely harsh winter, coupled with massive rains in the spring. Crystal Distribution is located adjacent to the Cedar River on the former Rath Packing plant site.

"When Rath closed, we made a substantial investment in renovating the former meat plant's buildings into our refrigerated warehouse operation in this Brownfield area of Waterloo. As the week began, it appeared that the flood levee would hold and we would be spared a colossal flooding disaster. Unfortunately, during the morning of June 11th and the morning of June 12th we received a major storm that dropped an additional 3 inches of rain onto an already swollen system and water table.

"At this time, water began to back up into our lower level of our refrigerated warehouse. As we did everything possible to minimize the effects of the backup, we couldn't keep up with the intake of water, and before long were unable to mitigate further damage to the 100,000 square feet of refrigerated warehouse space. The entire lower level was full of retail ham, bacon and other boxed meat products. As the water level rose to over 4 feet, it was obvious that the vast majority, if not all of the product, would be unsalvageable.

"We immediately contacted our USDA compliance agents and they were soon on the site. At that point, each affected customer, there were 10 in all, were contacted, and they all inspected their product and determined that, for food safety reasons, the meat needed to be taken to the landfill. The total loss amounted to over 3.5 million pounds of product. We immediately began the process of disposal and clean-up. Crystal paid up front for the landfill, trucking and building renovations to facilitate the disposal, along with many other costs, which were over \$250,000 in direct expense to us.

"Crystal immediately applied with FEMA and received an SBA loan application number. I worked with my accountant, attorney and banker to complete the rather lengthy application. After several weeks, I was told that the SBA may be able to offer a \$279,000 3-year loan at 8 percent. We were hoping for something more favorable that would be able to help us replace the lost space, not to mention the loss of revenue to date since this event and the lost product value for our customers, some of which held no insurance coverage.

□ 2030

"We are still in limbo between our customers, insurance company and local, State and Federal agencies, with no real input as to how this will all turn out.

"Our first choice would be to rebuild and grow on this site, but we do not dare to do anything until we have direction as to what will happen to the existing storm sewer, river gates and city pumps in this area. I, along with most Iowans, are not accustomed to having to ask for help, and we certainly don't like to be in a position of having to do so.

"However, due to this enormous, natural disaster, my livelihood and the livelihood of all my employees depends on our ability to bounce back quickly and to be able to put this event behind us.

"My frustration lies with the fact that after 3 months we have not heard anything positive that we can move towards in rebuilding our business and to reestablish our customers' confidence to safely restore their goods in this area of Waterloo.

"I realize there are many horror stories of people's houses being lost along with all of their belongings. Our situation at Crystal Distribution in Waterloo, Iowa is one of many. Unfortunately, I have yet to see or hear of much, if any, real help to those who have been devastated. It appears that the business community has fallen between the cracks of red tape and inaction. Hopefully I have given you a decent, general description of what happened to us back in Iowa. I can only pray that some form of help will become available to assist us in our recovery from this overwhelming disaster."

Next I am going to read from Marvin and Darlene Young in Littleton, Iowa. "I would like to say that I, like many others, went through a devastating flood in the summer of 2004. My wife and I would like to just ask our U.S. Government to please take another look at trying to give us the help that we so desperately need. Not just us from 2004, but also help in allocating more funds for the buyout program and more funds for disaster relief to help recent victims.

"It has been 4 long years of hell, and these people were devastated by flooding 4 years ago.

"We were forced from our home via condemnation, and we were promised help would be coming. Yet we still have to pay property taxes and lot rent and had to incur debt by purchasing a new home. We have to keep telling people that we owe to please be patient and wait a little longer to be paid. We just feel that we have fell through the cracks, and no one cares, because the people who are in charge in Iowa and Buchanan counties can move on because it didn't happen to them.

"We have been to every government agency that we were told about that could help us, and all we keep getting is there are no funds available to help.

"What we cannot understand is how our government can be so apt to help out other countries around the world with money that they tell us our government does not have. We would like our Congress to please tell us where they keep getting this money to help them, but not us American people.

"Our son can sign up to defend this country, and recently was and currently is deployed, to put his life on the line for a government that can't help his parents in a time of such devastation. We have nowhere left to go to ask for help. The disaster of 2004 has put us so far into debt, we don't know what to do. It wouldn't be that big of a deal if we weren't told to leave our home and told to leave our belongings because it wasn't safe.

"However, the government agency, FEMA, which is running the operation, informed us not to worry because they were there to help. How were we to have faith in the systems that are set up to help the American people, when here we are, 4 years later, and in a bigger mess than we were due to the government agency running the operation. I hope you can put our concerns into serious consideration. I am sure that we are not the only ones out there."

The next letter is from Brenda Leonard, who is the emergency management coordinator in Jones County. When I was in Jones County during the peak of the flooding, I visited the communities of Stone City, Anamosa, the county seat, Monticello, Olin and Oxford Junction, all of which experienced record and overwhelming flooding.

"My name is Brenda Leonard, and I am the Jones County Emergency Management Coordinator in eastern Iowa. During the flooding in June, the cities of Anamosa, Monticello, Olin and Oxford Junction saw record levels of flooding on our two rivers, which cover over 90 miles. In fact, the Maquoketa River has risen out of its banks almost a dozen times this spring and summer.

"Our monitoring system for the river and creek levels involves one automated gauge and residents along the Wapsipinicon River. The Maquoketa River does not have a gauge in our county, so we have to rely on residents of the county to keep us updated as to the changing levels and rainfall amounts. We also rely on a network of volunteers and other counties upriver

from us. Even with this information from the volunteers, there was no way we could have foreseen the amount of water we were inundated with.

"These record levels have caused great damages to three city wastewater plants, over 350 homes, 20 businesses, and ranked our secondary roads department as second in the State for damages. This is tremendous devastation in a county with a population of 20,221. I would also like to say that our residents have portrayed the great Midwest spirit by helping their neighbors for preparing for, fighting, and recovering from this monumental of event."

To show you the kind of county Jones County is, approximately 15 percent of the residents of Jones County are veterans of our armed services who serve their country with great pride.

The next letter is from Sarah Powell, a resident of New Hartford, Iowa, who had the double whammy of both the most powerful tornado in the United States this year, and a record flood in the span of 10 days, Sarah Powell.

"My biggest frustration with FEMA is that New Hartford was the first town to get hit by the flood and are now the last people to get taken care of. FEMA told me in the beginning, right after the disaster, that I would be put on an emergency housing list and asked if I was willing to travel. I told them 'no,' that we needed to be placed in Butler, Grundy or Black Hawk counties.

"FEMA told us we would be put on a waiting list. They have called numerous times and have told us that we were still on the list, but had no trailer for us at this time. They called and asked if we wanted to move to Cedar Rapids, Marion or Linn County."

Just parenthetically, Cedar Rapids has 400 square blocks of devastation from epic levels of flooding in that community, the second largest city in Iowa.

"I told them 'no,' we weren't able to travel that far. Why are there trailers and places to live in Cedar Rapids, but not available places here for the people that were affected by flooding first? It is now September, and I still do not have a place to live. I know that New Hartford is a small town and does not have as big of a population, but we were still affected by the disaster, and we are people in need of help and assistance. I am also frustrated that FEMA has denied us for most of help that I applied for because I had flood insurance. I have always been under the impression that FEMA is there to help people with their personal property because flood insurance does not cover personal property.

"FEMA has told me that I have been denied for assistance because of insurance. I lost my house and everything that I owned. FEMA would only allow me \$5,000 for all of my personal property. My insurance company assessed our damage to be almost \$40,000, and FEMA assessed damages to be only \$18,000.

"How can there be that large of a difference between the two assessments? The people that had no flood insurance have been helped out more than the people that do have flood insurance. If FEMA is not going to be fair and willing to help those affected by the disasters, what are they for?"

This letter is from Jackie Heins, who is a resident of Waverly and runs the Kinetic Energy School of Movement & Music, a small business, located in Waverly.

Jackie's business, Kinetic Energy School of Movement & Music, was hit hard by the recent flooding in Waverly. Her location is right off Bremer Avenue, less than a block from the river.

When the flooding hit, Jackie's storefront was inundated. Jackie sustained not only severe damage to her dance floor, but the heating, cooling system and her electricity were both taken out for almost a month. Since the flood, Jackie has been working hard to get her business back and running. The dance floor had to be replaced, and some of her summer classes had to be cancelled.

On September 2, classes were restarted. However the back of her store is still torn up and, as she put it, we still have a ways to go yet. When asked what would have been more helpful to her, as a small business owner hit by this disaster, she replied that she would have liked to have been given much more clear information about what exactly her options were right after the flood hit. "Everyone tells you call FEMA, but unless you have a very specific question in mind, or already know exactly what you are planning to do next, FEMA only gives you general guidance."

The next letter is from Lorista Ambrose of Cedar Falls, Iowa. "We lost two homes to the flood-nado (this is what we call it) in New Hartford, Iowa. First, the tornado, then the flood after we moved into town and rented a house. So we had two disasters. Not one.

"What we encountered with the FEMA process was inexcusable and way too complicated. I am going to walk you through our process, register for FEMA and get a number. I understand that. Let them know if we got insurance money and how much.

"Then they sent me to register for SBA. I don't know why we would want a loan to pay ourselves back with interest. This was our tax money we paid in for things like this to help. But we did it.

"Can't get help from FEMA unless you were turned down for a loan (can't understand why that should matter.)

"Wait for inspections of tornado house by both agencies. SBA inspection was done right away. Eligible for a loan.

"Turned down for FEMA before inspection. We have been told the denial is always sent out. Appeal.

"FEMA inspector never came until after we went back into the FEMA office many times, still being told by

FEMA we were eligible for help. They knew we had insurance money and how much.

"June 8—we were flooded out of the house we rented. We moved to a hotel."

This was after their house was destroyed in the tornado.

"Told by FEMA to register again for more damages because now we were in two disasters.

"Call FEMA to register again. The file is a complete mess now because FEMA process does not allow for two different addresses under one number, but we were made to do it that way anyway. Now every time we call, no one understands what we are talking about."

Because they were moved out by the tornado and then by the flood.

"FEMA wants to inspect the tornado house now, even though they haven't already told us why we are not eligible. Why?

"Still no money.

"Not eligible. We have been in two disasters, lost everything twice, and can't get help. Now a month has gone by.

"Rented house gets inspected and our address gets changed in our file.

"Got a check for \$13,000. We don't know what it is for, no address on the letter for what it's about. We were told we were not eligible. Go to a FEMA office, ask for help, and they don't know what this is for either. Sent e-mail for a confirmation of what this was for. No answer.

"Call a FEMA office, and a supervisor was able to tell us they made a mistake and to send the check back. It was for the rented house. We did.

"We give free help to other countries with no strings. Why aren't we doing this for our own people? Why can't we get a grant for the difference between what our insurance pays and the cost to rebuild the same house? Why a loan? We give grants for the mating habits of a bullfrog, but not for a disaster. Insurance does not cover the full cost on a 40 year-old house. Building costs went up so much in a year because of gas, and we could not have foreseen this. Now more disasters will make it go up even more as supplies are needed to rebuild.

"From the American standpoint, FEMA is worthless. What in this process with FEMA is urgent or addresses an emergency? It took us 2 months, countless letters and many hours at a FEMA office for no results. This needs to change."

This letter is from Tony Mendez in Buffalo, Iowa, which is south of the City of Davenport, the southernmost town in the First District of Iowa.

"My name is Tony Mendez. I am the proud owner of a local small business in Buffalo, Iowa, that has been a core institution of our town for decades. Clark's Landing Restaurant is our name, and providing a local gathering place for our community is our privilege.

"Clark's Landing rests on a location of historical significance. In 1833, Cap-

tain Benjamin W. Clark, our restaurant's namesake, chose our site to erect a claim cabin to establish what is now known as Buffalo, Iowa. I have had the privilege of ownership since June 30, 1993.

"Since that time, we have battled the rising waters of the mighty Mississippi four times. With the extraordinary efforts of our community, we have survived these trials time and time again. I am often asked, after the water has receded, the cleanup and repairs have been made, and we welcome back our families and friends to our humble establishment: 'Don't you ever get tired of it and just want to give up?'

"My answer is always an emphatic 'no . . . ' I consider it a position of honor to be a guardian of what makes this country great. I will continue to protect one of our town's treasures and hope to pass on this time-honored position to my daughter, Mercedes, when she is ready."

This letter is from business owners Darin Beck, Aaron Schurman and Dale Folkers with Phantom EFX corporation in Cedar Falls Iowa.

"We are writing this letter regarding the catastrophic flooding that occurred in Iowa this year. Before discussing the economic impact upon the community as a whole, and our firm in particular, allow me introduce us.

"Genesis Communications, Inc., which does business as Phantom EFX, is an advanced technology company that develops, manufactures and markets video games in the family entertainment category.

"We are located in Cedar Falls, Iowa, employing 40 people. We have been in business for over years. During those 10 years we have seen and weathered many changes in the national, State and local economies, as well as our particular industry.

□ 2045

No single event has been as devastating as the flood of 2008. As the floodwaters rose, families and businesses scrambled to save what they could and get out of harm's way. In the city of Cedar Falls, volunteers flocked to sandbag around the clock. These efforts saved our vibrant downtown business district, but many families and businesses were not so fortunate. In the part of town we were located in, the waters was unrestrained, resulting in massive losses of homes and businesses.

The loss to Phantom was over \$1 million in inventory, furniture and fixtures. The real estate we occupied, valued at over \$1.7 million was a total loss. The true loss due to business interruption is incalculable.

The Federal Government's response has been too little, too late, and nearly nonexistent. It is time for our government to step in to help, protect and defend its citizens.

Last Monday, as I mentioned earlier, I was pleased to have Speaker PELOSI

visit Iowa to see firsthand the devastation caused by the floods and tornadoes. She visited Parkersburg, New Hartford, Sinclair, which had its grain elevator destroyed, Cedar Falls, and Waterloo in the 1st Congressional District. And you saw earlier the images of devastation in those communities.

Speaker PELOSI stressed her commitment to passing additional disaster relief, and I will keep working to ensure this funding is passed.

Speaker PELOSI also joined my calls for the President to decrease the Federal/State cost-share agreement for Iowa's disaster recovery efforts. And I am happy to report that after our collective urging last week, FEMA changed the Federal/State cost-sharing agreement to 90 percent Federal, 10 percent State funding.

Last week, I also joined the entire Iowa congressional delegation to urge President Bush to file a formal disaster request for funding for Iowa. I am continuing to push the administration and the FEMA bureaucracy to quickly release all of the funding that we have already secured for the State of Iowa, and I am hopeful that FEMA will release the first \$85 million in the next week, and I want to continue to push HUD to release the other \$200 million as soon as possible.

Hundreds of millions of dollar that Congress already passed for Iowa is being held up by the administration instead of being used to help rebuild Iowa. I am going to continue fighting to cut through the bureaucratic red tape and ensure that Iowa quickly receives the funding that Congress has already passed. Iowa needs more Federal help now, and I am going to continue working with Speaker PELOSI and the entire Iowa delegation to provide more disaster relief for Iowa.

In addition to the \$2.65 billion flood relief package that has already been passed, we need to pass a second emergency flood relief bill. We have been working on that and need to get it out on the floor next week.

I have also worked with my colleague, Congressman DAVE LOEBACK from Iowa's 1st Congressional District, to help Iowa railroads repair and rebuild bridges that were destroyed, and that bill is called the Back on Track Act. You saw the photograph of the railroad bridge that collapsed in downtown Waterloo. And as I mentioned earlier, the economic impact of those collapsed bridges is enormous.

We also need to continue pushing for FEMA to take a greater share of disaster relief with the delegation pushing the President to have the Federal Government assume 100 percent of the cost of the disaster relief to lessen the burden on Iowans.

In the wake of the flooding disaster, I traveled to dozens of towns and inspected the flooding to check on the folks that I represent and see if they had their immediate needs met. In that



time I visited the communities of Waterloo, Cedar Falls, Evansdale, Gilbertville, La Porte City, New Hartford, Waverly, Greene, Shell Rock, Clarksville, Independence, Elkador, Anamosa, Olin, Oxford Junction, Stone City, Clermont, Davenport, Buffalo and more.

In addition, we met with the director of FEMA, the governor, both senators, the acting administrator of the Small Business Administration to address these needs, but acting in Congress will not get funds to the people who need it in Iowa unless administration officials do their jobs and start freeing up money that needs to get in the hands of the people who need it.

To give you some idea of what I am talking about, in FEMA alone as part of that \$2.65 billion package we passed in June, \$897 million in FEMA disaster relief funding was allocated. On July 1, 2008, FEMA's disaster relief fund had a total of almost \$4 billion in undistributed funds. That's the most recent disaster relief report available from FEMA.

As of right now, FEMA has only given away a little over \$500 million to Iowa and has in its possession billions of dollars of undistributed disaster relief funds which need to get to the people in need, in addition to the new people in crisis in the gulf coast.

Now let's talk about the Community Development Block Grant. Of that \$2.65 billion package in June, \$300 million was allocated for CDBG funding, and the importance of that is it gets it into the hands of local officials who can target and set up criteria to make the most direct impact in their communities. None of that \$300 million in CDBG funding that we passed more than 2 months ago is currently in the hands of Iowans in crisis.

Then let's talk about the Economic Development Administration also known as the EDA. Of that \$2.65 billion package, nearly \$100 million was allocated for EDA funding, and none of that \$100 million in funding passed 2 months ago is currently in the hands of Iowans in need.

In addition there may be additional delays with the distribution of other funds in that \$2.6 billion package, including \$606 million for the Army Corps of Engineers, \$267 million for the Small Business Administration disaster loans, and \$480 million for agricultural assistance. And until the crop harvest is completed and we know the true extent of the impact on agriculture in Iowa and other midwestern States, the extent of those damages is unknown.

But we do know this: the disaster season in the United States continues. And as we continue as a Federal Government to respond to the needs of U.S. citizens in crisis, it is incumbent upon every Member of Congress, no matter where they live, to recognize the fact that we are at our best when we respond to these needs with the heartfelt response that Americans expect in their time of crisis. That's why I call upon the Speaker, Minority Leader

BOEHNER and every Member of this body to come together next week in the spirit of harmony and the spirit of goodwill to do what is necessary to address the needs of Iowans who have felt the brunt of this disaster in ways they have never felt before, the needs of other people in the midwest, the southeast, the southwest and the gulf coast, to respond to them and make sure that their needs are being addressed so they finally have faith that their Federal Government is there for them when they need it.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CONYERS (at the request of Mr. HOYER) for today until 4 p.m.

Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for September 15 through 18 on account of business in district related to Hurricane Ike.

Mr. BRADY of Texas (at the request of Mr. BOEHNER) for September 17 and today on account of Hurricane Ike recovery efforts in the district.

Mr. DREIER (at the request of Mr. BOEHNER) for today on account of the death of his mother.

Mr. NUNES (at the request of Mr. BOEHNER) for today after 4 p.m. on account of attending a funeral in his district.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. REYES) to revise and extend their remarks and include extraneous material:)

Mr. REYES, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. HERSETH SANDLIN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PAYNE, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. HONDA, for 5 minutes, today.

(The following Members (at the request of Mr. WAMP) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, September 24.

Mr. JONES, for 5 minutes, September 24.

Ms. FOXX, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. FLAKE, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

#### ADJOURNMENT

Mr. BRALEY of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, September 22, 2008, at 10:30 a.m., for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8465. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Availability of Lists of Retail Consignees during Meat or Poultry Product Recalls [FDMS Docket Number FSIS-2005-0028] (RIN: 0583-AD10) received August 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8466. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Item Identification and Valuation Clause Update [DFARS Case 2007-D007] (RIN: 0750-AF73) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8467. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Ship Critical Safety Items [DFARS Case 2007-D016] (RIN: 0750-AF86) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8468. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Competition Requirements for Purchases from Federal Prison Industries [DFARS Case 2008-D015] (RIN: 0750-AG03) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8469. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Trade Agreements — New Thresholds [DFARS Case 2007-D023] (RIN: 0750-AF89) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8470. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8471. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-8035] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8472. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8473. A letter from the Director, Office of Legislative Affairs, FDIC, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Financial Education Programs That Include the Provision of Bank Products and Services (RIN: 3064-AD28) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8474. A letter from the Acting Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — COMMISSION GUIDANCE ON THE USE OF COMPANY WEB SITES [Release Nos. 34-58288, IC-

28351; File No. S7-23-08] received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8475. A letter from the Department of Education, transmitting the Department's final rule — Improving the Academic Achievement of the Disadvantaged; Migrant Education Program [Docket ID 2007-ED-OESE-130] (RIN: 1810-AA99) received August 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8476. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Improving the Academic Achievement of the Disadvantaged; Migrant Education Program [Docket ID 2007-ED-OESE-130] (RIN: 1810-AA99) received August 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8477. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Service of Process — received August 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8478. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling: Health Claims; Soluble Fiber From Certain Foods and Risk of Coronary Heart Disease [[Docket No. FDA-2008-P-0090](formerly Docket No. 2006P-0393)] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8479. A letter from the General Counsel, FERC, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices and Communication Protocols for Public Utilities [Docket No. RM05-5-005; Order No. 676-C] received August 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8480. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Mandatory Electric Filing of Export and Reexport License Applications, Classification Requests, Encryption Review Requests, and License Exception AGR notifications [Docket No. 0612242559-8545-02] (RIN: 0694-AD94) received August 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8481. A letter from the Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule — Federal Government Participation in the Automated Clearing House (RIN: 1510-AB00) received August 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8482. A letter from the Deputy Director, Office of Personnel Management, transmitting the Office's final rule — FEDERAL EMPLOYEES DENTAL AND VISION INSURANCE PROGRAM (RIN: 3206-AL03) received August 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8483. A letter from the Chief, Branch of Listing, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Northern Spotted Owl [FWS-R1-ES-2008-0051; 92210-1117-0000-FY08-B4] (RIN: 1018-AU37) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8484. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Utah Regulatory Program [SATS No. UT-044-FOR; Docket ID: OSM-2007-0014] received August 8, 2008, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

8485. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Utah Regulatory Program [UT-042-FOR; Docket ID OSM-2008-0016] received August 22, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8486. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Electronic Payment of Fees for Outer Continental Shelf Activities [Docket ID: MMS-2007-0MM-0065] (RIN: 1010-AD43) received August 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8487. A letter from the Chief, WO Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Poa atopurpurea* (San Bernardino bluegrass) and *Taraxacum californicum* (California taraxacum) [FWS-R8-ES-2007-0010; 92210-1117-0000-B4] (RIN: 1018-AV04) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8488. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Sierra Nevada Bighorn Sheep (*Ovis canadensis sierrae*) and Taxonomic Revision [[FWS-R8-ES-2008-0014] [92210-1117-0000-B4]] (RIN: 1018-AV05) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8489. A letter from the Director Office of Protected Resources, NMFS, NOAA, Commerce, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to a U.S. Navy Shock Trial [Docket No. 080220219-8829-02] (RIN: 0648-AT77) received August 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8490. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No. 060824226-6322-02] (RIN: 0648-AX02) received August 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8491. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Fisheries of the Bering Sea and Aleutian Islands Management Area [Docket No. 070917520-8831-03] (RIN: 0648-AW06) received August 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8492. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish for Catcher Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XJ36) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8493. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Nantucket Lightship Scallop Access Area to Scallop Vessels [Docket No. 071130780-8013-02] (RIN: 0648-XJ51) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8494. A letter from the Acting Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Atlantic Highly Migratory Species; International Trade Permit Program; Bluefin Tuna Catch Documentation Program [Docket No. 080221247-8524-02] (RIN: 0648-AU88) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8495. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Period I Quota Harvested [Docket No. 060418103-6181-02] (RIN: 0648-XJ82) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8496. A letter from the Deputy Under Secretary and Deputy Director, Department of Commerce, transmitting the Department's final rule — Revision of Patent Fees for Fiscal Year 2009 [Docket No. PTO-C02008-0004] (RIN: 0651-AC21) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8497. A letter from the Acting General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Inflation Adjustment to Size Standards, Business Loan Program, and Disaster Assistance Loan Program (RIN: 3245-AF41) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

8498. A letter from the Acting Chief, Trade and Commercial Regulations, Department of Homeland Security, transmitting the Department's final rule — FIRST SALE DECLARATION REQUIREMENT [Docket No. USCBP-2008-0062 CBP Dec. 08-31] (RIN: 1505-AB96) received August 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8499. A letter from the Acting Chief, Trade and Commercial Regulations, Department of Homeland Security, transmitting the Department's final rule — ENTRY REQUIREMENTS FOR CERTAIN SOFTWOOD LUMBER PRODUCTS EXPORTED FROM ANY COUNTRY INTO THE UNITED STATES [Docket No. USCBP-2008-0052 CBP Dec. 08-32] (RIN: 1505-AB98) received August 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8500. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — UNITED STATES-MOROCCO FREE TRADE AGREEMENT [Docket No. USCBP-2007-0056 CBP Dec. 08-29] (RIN: 1505-AB76) received August 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8501. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 1.179-1: Election to expense certain depreciable assets. (Also: 168, 179; 1.168(k)-1) (Rev. Proc. 2008-54) received September 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8502. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Unified Rule for Loss on Subsidiary Stock [TD 9424] (RIN: 1545-BB61) received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8503. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Transition Guidance for New Funding Rules and Funding-Related Benefit Limitations under PPA '06 [Notice 2008-73] received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8504. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — S Corporation Guidance under AJCA of 2004 and GOZA of 2005 [TD 9422] (RIN: 1545-BE95) received August 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8505. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Revisions to the Medicare Advantage and Prescription Drug Benefit Programs [CMS 4138-IFC] (RIN: 0938-AP52) received September 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. H.R. 1650. A bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; with an amendment (Rept. 110-860, Pt. 1). Ordered to be printed.

Mr. RAHALL: Committee on Natural Resources. H.R. 6159. A bill to provide for a land exchange involving certain National Forest System lands in the Mendocino National Forest in the State of California, and for other purposes; with an amendment (Rept. 110-861). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE of North Carolina: Committee on Appropriations. H.R. 6947. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2009, and for other purposes (Rept. 110-862). Referred to the Committee of the Whole House on the State of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII Committees on Transportation and Infrastructure and Energy and Commerce discharged from further consideration. H.R. 1650 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska:

H.R. 6936. A bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the

polar bear was determined to be a threatened species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Mr. BUYER (for himself, Mr. MICHAUD, Mr. MILLER of Florida, Mr. BOOZMAN, Mr. LAMBORN, Mr. SALAZAR, Mr. WALZ of Minnesota, Mr. BILIRAKIS, Mr. BROWN of South Carolina, and Mr. HARE):

H.R. 6937. A bill to improve energy and water efficiencies and conservation throughout the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Mr. GRIJALVA, Mr. ABERCROMBIE, and Mrs. NAPOLITANO):

H.R. 6938. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Mr. FILNER (for himself, Mr. JONES of North Carolina, Mr. MICHAUD, Mr. HARE, and Mr. WALZ of Minnesota):

H.R. 6939. A bill to amend title 38, United States Code, to provide two-fiscal year budget authority for certain medical care accounts of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RADANOVICH (for himself, Mr. NUNES, Mr. COSTA, Mr. CARDOZA, Mr. MCCARTHY of California, Mr. ROHRABACHER, Mr. CALVERT, and Mrs. MCMORRIS RODGERS):

H.R. 6940. A bill to provide flexibility for the operation of the Bureau of Reclamation C.W. "Bill" Jones Pumping Plant and the Harvey O. Banks Pumping Plant of the State of California in times of drought emergency, to support the establishment of a fish hatchery program to preserve and restore the Delta Smelt in the Sacramento-San Joaquin Delta, and for other purposes; to the Committee on Natural Resources.

By Mr. McDERMOTT:

H.R. 6941. A bill to amend title XI of the Social Security Act to provide for an improved method to measure poverty so as to enable a better assessment of the effects of programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS:

H.R. 6942. A bill to amend section 5112 of title 31, United States Code, to provide for the return of the half-dime as the new 5-cent circulating coin, and for other purposes; to the Committee on Financial Services.

By Mr. BILBRAY (for himself, Mr. KENNEDY, Mr. BARTLETT of Maryland, Mr. ISSA, Mr. HUNTER, and Mrs. BONO MACK):

H.R. 6943. A bill to amend the Internal Revenue Code of 1986 to provide for a credit for algae derived fuels, and for other purposes; to the Committee on Ways and Means.

By Mr. WELLER:

H.R. 6944. A bill to transfer administrative jurisdiction over the Joliet Training Area in Will County, Illinois, to the Secretary of Agriculture for inclusion in the Midewin National Tallgrass Prairie, to provide for the conveyance of several parcels of the Joliet Training Area, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Agriculture,

Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE:

H.R. 6945. A bill to amend title 38, United States Code, to expand access to hospital care for veterans in major disaster areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DINGELL (for himself, Mr. BARTON of Texas, Mr. MARKEY, Mr. STEARNS, Mr. GORDON, and Mr. SHIMKUS):

H.R. 6946. A bill to make a technical correction in the NET 911 Improvement Act of 2008; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY:

H.R. 6948. A bill to amend the Public Health Service Act to improve mental and behavioral health services on college campuses; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARR (for himself, Mr. GERLACH, Mrs. CAPPS, Mr. EVERETT, Mr. PATRICK MURPHY of Pennsylvania, Mr. NADLER, Mr. LIPINSKI, Mr. KENNEDY, Mr. MOORE of Kansas, Mr. FRANK of Massachusetts, Mr. GALLEGLY, Mr. MCCOTTER, Mr. KIRK, Ms. SCHAKOWSKY, Mrs. BIGGERT, Mr. MORAN of Virginia, Mr. MCGOVERN, and Ms. MCCOLLUM of Minnesota):

H.R. 6949. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture.

By Mr. STARK (for himself, Mr. CAMP of Michigan, Mr. RANGEL, Mr. MCCREERY, Mr. CLYBURN, Ms. KILPATRICK, Mr. RYAN of Ohio, Mr. LEWIS of Georgia, Mr. HINCHY, Mr. KIND, Ms. SCHWARTZ, Mr. McDERMOTT, Mr. RAMSTAD, Mr. McNULTY, Ms. BORDALLO, Mr. COOPER, Mr. WILSON of Ohio, Ms. ROS-LEHTINEN, Ms. SUTTON, Mr. PASCRELL, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. SERRANO, Mr. POMEROY, Mr. UPTON, Mr. MEEK of Florida, Mr. EMANUEL, Mr. LEVIN, Mr. TIBERI, Mr. MCGOVERN, Mr. REYNOLDS, Mr. PASTOR, Mr. LARSON of Connecticut, Mrs. CHRISTENSEN, Mr. DAVIS of Alabama, Mr. ENGLISH of Pennsylvania, Mr. CLAY, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Ms. LEE, Mr. TOWNS, Ms. CLARKE, Ms. WOOLSEY, Ms. WATSON, and Mr. WATT):

H.R. 6950. A bill to establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors and the family of organ donors; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEE (for herself, Ms. WOOLSEY, Mr. HINCHY, Ms. WATERS, Mr. MCGOVERN, Mr. McDERMOTT, and Mr. GRIJALVA):

H.R. 6951. A bill to prohibit the use of funds by the Central Intelligence Agency or the Department of Defense to provide covert or clandestine assistance for the purpose of overthrowing the Government of Iran; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 6952. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize pilot or demonstration programs to prepare high school students to pass the United States citizenship exam; to the Committee on Education and Labor.

By Mrs. BACHMANN:

H.R. 6953. A bill to authorize the President to review and approve oil and gas exploration, development, and production projects under existing Federal oil and gas leases, both onshore and offshore, and to limit administrative and judicial proceedings with respect to such projects, upon finding that such a project complies with all applicable Federal laws, and for other purposes; to the Committee on Natural Resources.

By Ms. BALDWIN (for herself, Mr. GOHMERT, Mr. CONYERS, Mr. SMITH of Texas, and Mr. SCOTT of Virginia):

H.R. 6954. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of South Carolina (for himself, Mr. BACHUS, Mr. GARRETT of New Jersey, Mr. WILSON of South Carolina, Mr. DUNCAN, Mr. NEUGEBAUER, Mr. MCHENRY, Mr. MANZULLO, Mr. JONES of North Carolina, Ms. GINNY BROWN-WAITE of Florida, and Mr. ROSKAM):

H.R. 6955. A bill to suspend contributions by the Federal National Mortgage Association and Federal Home Loan Mortgage Corporation to the Housing Trust Fund during any conservatorship of such enterprises and to ensure full repayment to the Federal Government for costs of any such conservatorship and costs of HOPE for Homeowners program; to the Committee on Financial Services.

By Mr. BARROW (for himself, Mr. BISHOP of Georgia, Mr. BROUN of Georgia, Mr. DEAL of Georgia, Mr. GINGREY, Mr. JOHNSON of Georgia, Mr. KINGSTON, Mr. LEWIS of Georgia, Mr. LINDER, Mr. MARSHALL, Mr. PRICE of Georgia, Mr. SCOTT of Georgia, and Mr. WESTMORELAND):

H.R. 6956. A bill to designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta, Georgia, as the "Yvonne Ingram-Ephraim Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BOOZMAN (for himself and Mr. MEEKS of New York):

H.R. 6957. A bill to amend the Foreign Assistance Act of 1961 to provide funding for capacity-building to microfinance service providers; to the Committee on Foreign Affairs.

By Mr. BRADY of Texas (for himself, Mr. PAUL, Mr. McCAUL of Texas, Ms. GRANGER, Mr. GOHMERT, Mr. CULBERSON, Mr. POE, Mr. SAM JOHNSON of Texas, Mr. SMITH of Texas, Mr. AL GREEN of Texas, Mr. ORTIZ, Mr. THORNBERRY, Mr. GONZALEZ, and Mr. CARTER):

H.R. 6958. A bill to provide tax relief for the victims of Hurricane Ike, and for other

purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. KAGEN, Mr. LOEBSACK, and Mr. LATHAM):

H.R. 6959. A bill to amend the Higher Education Act of 1965 to clarify the procedures for awarding grants and contracts for Federal Trio Programs; to the Committee on Education and Labor.

By Mr. CLEAVER (for himself, Mr. CARNAHAN, Mr. CLAY, Mr. HULSHOF, Mr. GRAVES, Mr. AKIN, Mr. SKELTON, Mrs. EMERSON, and Mr. BLUNT):

H.R. 6960. A bill to establish the World War I centennial commission to ensure a suitable observance of the centennial of World War I; to the Committee on Oversight and Government Reform.

By Mr. CROWLEY:

H.R. 6961. A bill to amend the Internal Revenue Code of 1986 to allow certain public employees a deduction for distributions from governmental plans for health and long-term care insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. DELAHUNT (for himself, Mr. FLAKE, Mr. BERMAN, Mrs. EMERSON, Mr. MCGOVERN, Mr. LAHOOD, Ms. DELAURO, Mr. MORAN of Kansas, Mr. PAYNE, Mr. PAUL, Mr. FARR, Ms. HARMAN, and Mr. MEEKS of New York):

H.R. 6962. A bill to facilitate the provision of humanitarian relief to Cuba; to the Committee on Foreign Affairs.

By Mr. FORTENBERRY (for himself, Mr. BURGESS, Mr. SESSIONS, and Mr. TERRY):

H.R. 6963. A bill to amend title XXI of the Social Security Act to expand coverage options under the State Children's Health Insurance Program (CHIP) through premium assistance; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself and Mr. CUELLAR):

H.R. 6964. A bill to amend the Unfunded Mandates Reform Act of 1995 to ensure that actions taken by regulatory agencies are subject to that Act, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Rules, the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts:

H.R. 6965. A bill to extend the authorization of the national flood insurance program, and for other purposes; to the Committee on Financial Services.

By Mr. LARSON of Connecticut (for himself, Mr. MURPHY of Connecticut, Ms. DELAURO, Mr. COURTNEY, and Mr. PASCRELL):

H.R. 6966. A bill to require continued application of budget neutrality on a national basis in calculation of the Medicare urban hospital wage floor; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS (for herself and Mr. MCCOTTER):

H.R. 6967. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to require that, for a fiscal year, the total amount of money dedicated for earmarks may not exceed the estimated budget surplus for that year; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall with-

in the jurisdiction of the committee concerned.

By Ms. MOORE of Wisconsin (for herself, Mr. MCGOVERN, Mr. GRIJALVA, Ms. BORDALLO, Ms. WOOLSEY, Mr. RUSH, Mr. FILNER, Ms. SCHAKOWSKY, Mr. KAGEN, Mr. ABERCROMBIE, Mr. SESTAK, Ms. LORETTA SANCHEZ of California, Mr. KUCINICH, and Mrs. NAPOLITANO):

H.R. 6968. A bill to require the Secretary of Defense to conduct a demonstration project regarding access to mental health services by members of the Armed Forces; to the Committee on Armed Services.

By Mr. NEAL of Massachusetts:

H.R. 6969. A bill to amend the Internal Revenue Code of 1986 to disallow the deduction for excess non-taxed reinsurance premiums with respect to United States risks paid to affiliates; to the Committee on Ways and Means.

By Mr. REGULA (for himself and Ms. HERSETH SANDLIN):

H.R. 6970. A bill to authorize a comprehensive program of nationwide access to Federal remote sensing data, to promote its use for education, workforce training and development, applied research, and to support Federal, State, tribal, and local government programs; to the Committee on Natural Resources.

By Mr. RYAN of Ohio (for himself, Mr. ISRAEL, Mr. WEINER, Mr. RODRIGUEZ, Ms. SHEA-PORTER, and Mrs. BOYDA of Kansas):

H.R. 6971. A bill to establish a Public Service Scholarship Program, and for other purposes; to the Committee on Education and Labor.

By Mr. RYAN of Ohio (for himself, Mr. ISRAEL, Mr. WEINER, Mr. RODRIGUEZ, Ms. SHEA-PORTER, and Mrs. BOYDA of Kansas):

H.R. 6972. A bill to amend the Internal Revenue Code of 1986 to provide for a standard home office deduction in the case of certain uses of the office; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. WAXMAN, Mr. GALLEGLY, Mr. SHERMAN, Mrs. NAPOLITANO, Mrs. CAPPS, and Mr. BERMAN):

H.R. 6973. A bill to require rail carriers to develop positive rail control system plans for improving railroad safety and to increase the civil penalties for railroad safety violations; to the Committee on Transportation and Infrastructure.

By Mr. SIMPSON (for himself and Mr. SALI):

H.R. 6974. A bill to permit commercial vehicles at weights up to 129,000 pounds to use certain highways of the Interstate System in the State of Idaho which would provide significant savings in the transportation of goods throughout the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TANCREDO:

H.R. 6975. A bill to require aliens to attest that they will not advocate installing a Sharia law system in the United States as a condition for admission, and for other purposes; to the Committee on the Judiciary.

By Mrs. TAUSCHER (for herself, Mr. DAVIS of Alabama, and Mrs. MCCARTHY of New York):

H.R. 6976. A bill to amend the Commodity Exchange Act to bring greater transparency and accountability to commodity markets, and for other purposes; to the Committee on Agriculture.

By Mr. TIERNEY:

H.R. 6977. A bill to amend the Truth in Lending Act to protect consumers from usury and unreasonable fees, and for other purposes; to the Committee on Financial Services.

By Mr. TIERNEY:

H.R. 6978. A bill to require the establishment of a credit card safety star rating system for the benefit of consumers, and for other purposes; to the Committee on Financial Services.

By Mr. KUHL of New York:

H.J. Res. 98. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

By Mr. McDERMOTT:

H. Con. Res. 420. Concurrent resolution expressing the sense of Congress regarding the need to re-weave America's social safety net to respond to the needs of the 21st century economy and labor market; to the Committee on Education and Labor.

By Ms. SCHWARTZ (for herself, Mr. SHUSTER, Mr. GERLACH, Mr. McCOTTER, Mr. GARRETT of New Jersey, Mr. KING of Iowa, Mr. GINGREY, Mr. PITTS, Mr. DAVIS of Alabama, and Mr. LIPINSKI):

H. Con. Res. 421. Concurrent resolution calling on the International Olympic Committee to designate a new venue for the 2014 Winter Olympic Games; to the Committee on Foreign Affairs.

By Mr. SCOTT of Georgia (for himself and Mr. BERMAN):

H. Res. 1461. A resolution recognizing the 10th anniversary of the terrorist bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, and the memorializing of the citizens and families of the United States, the Republic of Kenya, and the United Republic of Tanzania whose lives were lost and injured as a result of these attacks; to the Committee on Foreign Affairs.

By Mr. McGOVERN (for himself, Mr. GARRETT of New Jersey, and Mr. MILLER of North Carolina):

H. Res. 1462. A resolution condemning ongoing sales of arms to belligerents in Sudan, including the Government of Sudan, and calling for both a cessation of such sales and an expansion of the United Nations embargo on arms sales to Sudan; to the Committee on Foreign Affairs.

By Mr. PLATTS (for himself and Ms. MATSUI):

H. Res. 1463. A resolution recognizing the benefits of service-learning as a teaching strategy to effectively engage youth in the community and classroom, and supporting the goals of the National Learn and Serve Challenge; to the Committee on Education and Labor.

By Mr. GEORGE MILLER of California:

H. Res. 1464. A resolution recognizing and honoring the 50th anniversary of the founding of AARP; to the Committee on Education and Labor.

By Mr. KIRK:

H. Res. 1465. A resolution recognizing the work of the law enforcement officers in Lake County, Illinois, their cooperative work with the Bureau of Alcohol, Tobacco, Firearms and Explosives agents, and expressing congressional support for their ongoing work protecting Lake County communities from drugs and gangs; to the Committee on the Judiciary.

By Ms. EDWARDS of Maryland:

H. Res. 1466. A resolution honoring Dr. Guion S. "Guy" Bluford, Jr., and the 25th anniversary of his historic flight as the first African-American in space; to the Committee on Science and Technology.

By Ms. ESHOO (for herself, Mr. WOLF, Mr. KNOLLENBERG, Mr. FORTENBERRY, and Mr. McCOTTER):

H. Res. 1467. A resolution expressing the concern of the House of Representatives for

the plight of Iraq's vulnerable ethno-religious minorities, and urging greater measures to protect the members of such minorities who have become refugees, asylum seekers, or internally displaced persons; to the Committee on Foreign Affairs.

By Mr. HALL of New York (for himself, Mr. McHUGH, Mr. HASTINGS of Florida, Mr. GALLEGLY, Mr. MAHONEY of Florida, and Mr. WEXLER):

H. Res. 1468. A resolution congratulating the U.S. Equestrian Team on winning the Gold Medal in team show jumping in the Games of the XXIX Olympiad; to the Committee on Oversight and Government Reform.

By Mr. KENNEDY:

H. Res. 1469. A resolution to commend the American Sail Training Association for its advancement of character building under sail and for its advancement of international goodwill; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Ms. SUTTON, Mr. REGULA, Ms. KAPTUR, Mr. OBEY, Mr. KUCINICH, Mr. CONYERS, and Mr. UDALL of Colorado):

H. Res. 1470. A resolution recognizing and honoring the achievements and legacy of former Representative John F. Seiberling, and expressing deep condolences to the Seiberling family for their loss; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

### Under clause 3 of rule XII:

Mr. GUTIERREZ introduced a bill (H.R. 6979) for the relief of Gloria Ayala Cuyuch; which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. CHILDERS.  
H.R. 192: Mr. WITTMAN of Virginia.  
H.R. 332: Mr. WITTMAN of Virginia.  
H.R. 333: Mr. KLEIN of Florida.  
H.R. 661: Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 676: Mr. HOLT.  
H.R. 891: Mr. ENGLISH of Pennsylvania, Mr. PAYNE, and Ms. GIFFORDS.  
H.R. 1014: Mr. LAHOOD.  
H.R. 1039: Mr. SNYDER.  
H.R. 1078: Mr. SMITH of New Jersey.  
H.R. 1110: Mr. BARRETT of South Carolina and Mr. BLUNT.  
H.R. 1134: Mr. HERGER and Ms. CASTOR.  
H.R. 1157: Ms. HIRONO, Mrs. DRAKE, Mr. ABERCROMBIE, Ms. KILPATRICK, Mr. BOREN, and Mr. DICKS.  
H.R. 1185: Mr. ROSKAM.  
H.R. 1246: Mr. CONYERS.  
H.R. 1280: Mrs. BIGGERT, Mr. MITCHELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LATOURETTE, Mr. PORTER, and Mrs. LOWEY.  
H.R. 1306: Mr. HERGER.  
H.R. 1386: Mr. GONZALEZ.  
H.R. 1439: Mr. PLATTS.  
H.R. 1552: Ms. CASTOR.  
H.R. 1576: Mr. BUCHANAN.  
H.R. 1618: Mrs. BONO MACK.  
H.R. 1655: Mr. MORAN of Virginia.  
H.R. 1671: Mr. ALLEN and Mr. CLEAVER.  
H.R. 1820: Mr. CONYERS and Ms. VELÁZQUEZ.

H.R. 1846: Mr. MARCHANT.  
H.R. 1881: Ms. LINDA T. SÁNCHEZ of California.  
H.R. 2169: Ms. HARMAN.  
H.R. 2221: Mr. CLYBURN.  
H.R. 2238: Mr. NUNES.  
H.R. 2564: Mr. BROWN of South Carolina.  
H.R. 2860: Mr. DICKS.  
H.R. 2870: Mr. McGOVERN.  
H.R. 3010: Mr. HARE.  
H.R. 3014: Mr. TIERNEY.  
H.R. 3109: Mr. STUPAK.  
H.R. 3212: Mr. HASTINGS of Florida, Mr. RUSH, and Mr. KIND.  
H.R. 3363: Mr. MILLER of North Carolina and Mr. McCOTTER.  
H.R. 3423: Mr. DELAHUNT, and Mr. PASTOR.  
H.R. 3660: Mr. BOOZMAN.  
H.R. 3700: Mr. BUTTERFIELD.  
H.R. 3797: Mr. DICKS.  
H.R. 3871: Mr. CAZAYOUX.  
H.R. 3929: Mr. NEAL of Massachusetts.  
H.R. 4450: Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. BUTTERFIELD, and Mr. BISHOP of New York.  
H.R. 4544: Mr. NEAL of Massachusetts, Ms. SHEA-PORTER, and Mr. MCCARTHY of California.  
H.R. 4836: Mr. GRIJALVA.  
H.R. 5161: Mr. HINCHEY.  
H.R. 5268: Mr. MEEK of Florida and Mr. RUSH.  
H.R. 5443: Mr. CARTER.  
H.R. 5447: Mr. MURPHY of Connecticut.  
H.R. 5469: Mr. WEXLER.  
H.R. 5596: Mr. CARTER.  
H.R. 5606: Mr. KUHL of New York, Mr. LATHAM, and Mr. BRADY of Pennsylvania.  
H.R. 5673: Mr. MILLER of Florida.  
H.R. 5734: Mr. CAPUANO.  
H.R. 5793: Mr. REHBERG and Mr. BILIRAKIS.  
H.R. 5852: Mr. MORAN of Virginia.  
H.R. 5868: Mr. THORNBERRY.  
H.R. 5901: Mr. SESTAK and Mr. CLAY.  
H.R. 5924: Mr. RUPPERSBERGER.  
H.R. 5946: Ms. SHEA-PORTER.  
H.R. 6066: Mr. SHAYS, Mr. CONYERS, Mr. YARMUTH, and Mr. McNULTY.  
H.R. 6100: Mrs. CAPPS, Mr. SERRANO, and Mr. McGOVERN.  
H.R. 6145: Mr. BARTLETT of Maryland, Mrs. CAPITO, Mrs. BONO MACK, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Kentucky, Ms. GRANGER, Mr. KELLER, Mr. MACK, Mrs. MYRICK, Ms. ROS-LEHTINEN, Mr. SHIMKUS, Mr. CASTLE, Mr. HUNTER, Mr. WOLF, Mr. JOHNSON of Illinois, Mr. GERLACH, and Mr. BACHUS.  
H.R. 6179: Mr. WITTMAN of Virginia.  
H.R. 6192: Mr. GALLEGLY.  
H.R. 6202: Mr. GRIJALVA.  
H.R. 6258: Mr. BISHOP of Georgia.  
H.R. 6408: Mr. PALLONE, Mr. BISHOP of New York, and Mr. COSTA.  
H.R. 6478: Mr. ALTMIRE, Mr. LAMPSON, Mr. WILSON of Ohio, and Mr. WAMP.  
H.R. 6485: Mr. PASTOR, Mr. HODES, and Mr. RAHALL.  
H.R. 6517: Mr. PERLMUTTER.  
H.R. 6551: Mr. DAVIS of Illinois.  
H.R. 6562: Mr. CARNAHAN.  
H.R. 6567: Mr. GOODLATTE.  
H.R. 6581: Mr. HARE.  
H.R. 6594: Mr. PASTOR.  
H.R. 6603: Mr. McHUGH and Mr. McNULTY.  
H.R. 6617: Mr. HINCHEY, Ms. LINDA T. SÁNCHEZ of California, Mr. SERRANO, and Mr. HASTINGS of Florida.  
H.R. 6640: Mr. BRADY of Texas and Mr. HASTINGS of Florida.  
H.R. 6654: Mr. PRICE of North Carolina.  
H.R. 6680: Mr. BRADY of Pennsylvania, Mr. CAPUANO, and Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 6691: Mr. SMITH of Texas, Mr. NUNES, and Mr. CALVERT.  
H.R. 6694: Ms. ZOE LOFGREN of California and Mr. SHIMKUS.

H.R. 6702: Mr. BARTLETT of Maryland and Mrs. LOWEY

H.R. 6725: Mr. KIND, Ms. DEGETTE, Mr. GENE GREEN of Texas, and Mr. GORDON.

H.R. 6748: Ms. CLARKE.

H.R. 6749: Mr. ISRAEL.

H.R. 6755: Mr. KIND.

H.R. 6831: Mr. MICHAUD and Mr. MELANCON.

H.R. 6835: Mr. COHEN.

H.R. 6836: Mr. UPTON.

H.R. 6837: Ms. BERKLEY.

H.R. 6844: Mr. REICHERT.

H.R. 6849: Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. SCOTT of Georgia, Mr. COURTNEY, Mr. DAVIS of Kentucky, Mr. ROSS, Mr. BOUSTANY, Mr. CUELLAR, Mr. HARE, Mr. EVERETT, Mr. CHANDLER, Mr. DONNELLY, Mr. SPRATT, and Mr. WALBERG.

H.R. 6856: Mr. COHEN.

H.R. 6865: Mr. CAPUANO.

H.R. 6869: Mr. HINOJOSA, Mr. HINCHEY, Mr. DEFazio, and Ms. JACKSON-LEE of Texas.

H.R. 6873: Mr. LATOURETTE, Mr. MCGOVERN, Mr. SERRANO, Mr. ENGEL, and Mr. MAHONEY of Florida.

H.R. 6884: Mr. MURTHA, Ms. HIRONO, Mr. PLATTS, Mr. RUPPERSBERGER, Mr. FRANK of Massachusetts, and Ms. ESHOO.

H.R. 6913: Mr. SHAYS, Ms. DELAURO, and Mr. MCGOVERN.

H.R. 6928: Ms. BERKLEY.

H.R. 6930: Mr. WOLF, Mr. SMITH of New Jersey, Mr. SESTAK, and Mr. LEWIS of Georgia.

H.R. 6932: Mr. KIRK, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. ROS-LEHTINEN, Mr. WAXMAN, Mr. HONDA, Mr. ENGEL, Mr. KLEIN of Florida, Mr. CHABOT, and Mr. COHEN.

H.J. Res. 22: Mr. CARTER.

H.J. Res. 79: Mr. CLAY.

H. Con. Res. 70: Mr. MCINTYRE.

H. Con. Res. 301: Mr. GILCHREST and Mr. SMITH of Texas.

H. Con. Res. 362: Mr. LEVIN and Mr. MCNERNEY.

H. Con. Res. 378: Mr. HALL of Texas.

H. Con. Res. 383: Mr. MCNERNEY.

H. Con. Res. 393: Mr. SHIMKUS, Mr. MORAN of Kansas, Mr. SHUSTER, Mr. SULLIVAN, Mrs. WILSON of New Mexico, Mr. MCCOTTER, Mr. MCCARTHY of California, Mr. NUNES, Mr. KINGSTON, Mr. FOSSELLA, Mr. FORTENBERRY, Mr. MARKEY, Mr. SHADEGG, Mr. CRENSHAW, Mr. FERGUSON, Mr. HUNTER, Mr. RADANOVICH, Mr. HALL of Texas, Mr. YOUNG of Alaska, Mr. KIND, Mr. LEWIS of Georgia, Mr. RYAN of Ohio, and Mr. TIBERI.

H. Con. Res. 397: Mr. TIERNEY, Mr. SHULER, Mr. BARTLETT of Maryland, Mr. WOLF, Ms. MATSUI, and Mr. COSTA.

H. Con. Res. 405: Mr. MCGOVERN.

H. Con. Res. 407: Mr. MEEKS of New York, Mr. CROWLEY, Mr. SIREs, and Ms. LINDA T. SANCHEZ of California.

H. Con. Res. 411: Mr. CARSON, Mr. CALVERT, and Mr. COHEN.

H. Con. Res. 416: Mrs. BONO MACK and Mr. DOYLE.

H. Con. Res. 417: Mr. MARIO DIAZ-BALART of Florida, Mr. KELLER, Mr. ROGERS of Michigan, Mr. TURNER, Mr. FERGUSON, and Mrs. DRAKE.

H. Con. Res. 418: Mr. EHLERS, Ms. GIFFORDS, Mr. BISHOP of Georgia, and Mr. REYES.

H. Res. 556: Mr. WAMP, Mr. PORTER, and Mr. CAMP of Michigan.

H. Res. 988: Mr. MCINTYRE.

H. Res. 1042: Mr. BARRETT of South Carolina, Mr. RYAN of Ohio, Mr. HERGER, Mr. SCALISE, and Mr. GERLACH.

H. Res. 1227: Ms. ESHOO.

H. Res. 1258: Ms. JACKSON-LEE of Texas and Mr. FILNER.

H. Res. 1272: Mr. EHLERS.

H. Res. 1345: Mr. FILNER.

H. Res. 1352: Mr. SMITH of Texas, Mr. CASTLE, and Mr. DENT.

H. Res. 1375: Mr. DAVIS of Illinois, Mr. MCGOVERN, and Mr. GERLACH.

H. Res. 1381: Mr. SALAZAR, Mr. ORTIZ, Mr. CUELLAR, Mr. STARK, Ms. MCCOLLUM of Minnesota, and Mr. RYAN of Ohio.

H. Res. 1386: Ms. BEAN and Mr. LUCAS.

H. Res. 1390: Mr. KUHLE of New York and Mr. BERMAN.

H. Res. 1392: Mr. PUTNAM, Mr. ALTMIRE, Mr. MURTHA, Mr. HOLDEN, Mr. CARNEY, Mr. EHLERS, Mr. DOYLE, Mr. SMITH of New Jersey, Mr. POMEROY, Mr. SESSIONS, Mr. LEWIS of Kentucky, Mr. MATHESON, Mr. DAVIS of Kentucky, Mr. WU, Ms. BERKLEY, Mr. ROSKAM, and Mr. PAUL.

H. Res. 1406: Mr. GENE GREEN of Texas, Mr. CAPUANO, Mr. FRANK of Massachusetts, Ms. LINDA T. SANCHEZ of California, and Mr. SMITH of Washington.

H. Res. 1410: Mr. HONDA.

H. Res. 1414: Mr. BRADY of Texas.

H. Res. 1416: Mr. POE and Mr. GENE GREEN of Texas.

H. Res. 1421: Mr. WOLF, Mr. SHULER, and Mr. NADLER.

H. Res. 1427: Mr. PLATTS and Mr. MILLER of Florida.

H. Res. 1428: Ms. HARMAN, Mr. HAYES, Mr. ETHERIDGE, Mr. MCCAUL of Texas, Mr. SESSIONS, and Mr. BRADY of Texas.

H. Res. 1436: Mr. BRALEY of Iowa, Mr. BROUN of Georgia, Mr. ETHERIDGE, Mr. FILNER, Mr. FOSTER, Mr. GRIJALVA, Mr. HARE, Mr. LARSON of Connecticut, Ms. MOORE of Wisconsin, Mr. SNYDER, Mr. WALZ of Minnesota, Mr. YOUNG of Alaska, Mr. COSTA, Mr. MARSHALL, Mr. LIPINSKI, Mr. LINCOLN DAVIS of Tennessee, Mr. WILSON of Ohio, Mr. SIREs, Mrs. NAPOLITANO, Mrs. BOYDA of Kansas, Mr. DAVIS of Alabama, Mr. PALLONE, Mr. MCNERNEY, Mr. MITCHELL, Mr. HILL, Ms. HOOLEY, Mr. DONNELLY, Mr. HAYES, Ms. HARMAN, Mr. MELANCON, Mr. TAYLOR, Mr. LAMPSON, Mr. JOHNSON of Georgia, and Mr. BACA.

H. Res. 1437: Mrs. BOYDA of Kansas, Mr. ROSS, Mr. MCGOVERN, Mr. JONES of North Carolina, Mr. WALZ of Minnesota, Ms. MATSUI, Mr. WESTMORELAND, Mr. SPRATT, Mr. BOOZMAN, Mr. MCINTYRE, Mr. OLIVER, Mr. KIND, Mr. SNYDER, Mr. ARCURI, Mr. MORAN of Virginia, Mr. LOBIONDO, Mrs. MCCARTHY of New York, Mr. BERMAN, Ms. SUTTON, Mr. BISHOP of Georgia, Mr. WILSON of Ohio, Mr. TANNER, Mr. TOWNS, Mr. FARR, Ms. NORTON, Mr. GOODE, Mr. GOHMERT, Mr. GORDON, Mr. LEVIN, Mr. CONAWAY, Mr. TERRY, Mr. MATHESON, Mr. PRICE of Georgia, Mr. BOUCHER, Ms. GIFFORDS, Mr. UPTON, Mr. ETHERIDGE, Mr. GONZALEZ, Mr. EHLERS, and Mr. GRAVES.

H. Res. 1438: Mr. MCNERNEY.

H. Res. 1440: Mr. MITCHELL.

H. Res. 1446: Ms. BORDALLO.

H. Res. 1450: Mr. GARRETT of New Jersey.

H. Res. 1451: Ms. SUTTON, Mr. KIRK, Ms. WOOLSEY, Mr. McNULTY, Mr. CROWLEY, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. PASCARELL, Mr. HONDA, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mr. WEXLER, Mr. PITTS, Ms. BORDALLO, Mr. FORTUNO, Ms. LEE, Mr. HINOJOSA, Mr. CARSON, Mr. KLEIN of Florida, Mr. CUMMINGS, Mr. ADERHOLT, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. ROHRBACHER, Mr. MANZULLO, Mr. ROYCE, Mr. CHABOT, Mr. TANCREDO, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. BARRETT of South Carolina, Mr. BILIRAKIS, Mr. MCCAUL of Texas, Mr. BARTLETT of Maryland, Mr. MCNERNEY, Ms. MOORE of Wisconsin, Ms. TSONGAS, Mr. DELAHUNT, Ms. WATSON, Mr. CLEAVER, and Mrs. CAPPS.

H. Res. 1452: Mr. HENSARLING, Mrs. BACHMANN, Mrs. BLACKBURN, Ms. FALLIN, Mr. BROWN of South Carolina, Mr. PRICE of Georgia, Mr. MARCHANT, Mr. GOODE, Mrs. SCHMIDT, Mr. DAVIS of Kentucky, Mr. MCCOTTER, Mr. BARRETT of South Carolina, Mr. BROUN of Georgia, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. GINGREY, Mr. DOOLITTLE, Mr. HERGER, Mr. FLAKE, Mr. BILBRAY, Mr. SHIMKUS, Mr. SMITH of New Jersey, Mr. ALEXANDER, Mr. MELANCON, Mr. PORTER, Mr. NEUGEBAUER, Mr. GERLACH, Mr. DENT, Ms. FOXX, Mr. TURNER, Mr. CONAWAY, Mr. MACK, Mrs. BONO MACK, Mr. SMITH of Nebraska, Mr. LATOURETTE, Mr. BURTON of Indiana, Mr. SHADEGG, Mr. MCKEON, Mr. SALI, Mr. YOUNG of Alaska, and Mr. SAM JOHNSON of Texas.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 11 by Mr. TANCREDO on House Resolution 1240: Virgil H. Goode, Jr.

Petition 17 by Mr. CANNON on the bill (H.R. 6211): Terry Everett, Ken Calvert, Ralph M. Hall, W. Todd Akin, John E. Peterson, Wally Herger, John Campbell, Todd Tiahrt, John T. Doolittle, Mark E. Souder, Jo Ann Emerson, Cliff Stearns, Dan Burton, Donald A. Manzullo, F. James Sensenbrenner, Jr., Jerry Lewis, Mac Thornberry, Cathy McMorris Rodgers, Lamar Smith, Zach Wamp, Patrick T. McHenry, Bob Goodlatte, Doug Lamborn, John Kline, Robert E. Latta, Howard Coble, Phil Gingrey, Michael K. Simpson.

Petition 18 by Mr. PEARCE on the bill (H.R. 5868): Joe Wilson, Cathy McMorris Rodgers, Chris Cannon, Bob Goodlatte, Lincoln Diaz-Balart, John Kline, Robert E. Latta, David G. Reichert, Thaddeus G. McCotter, Mike Rogers.